

City of Carmel

Common Council

SPECIAL MEETING

January 22, 2007

6:00 P.M.

COMMON COUNCIL SPECIAL MEETING AGENDA

MONDAY, JANUARY 22, 2007 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

MEETING CALLED TO ORDER

1. INVOCATION
2. PLEDGE OF ALLEGIANCE
3. RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS
4. APPROVAL OF MINUTES
 - a. January 8, 2007 Special Meeting
5. RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL
6. COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS
7. ACTION ON MAYORAL VETOES
8. CLAIMS
 - Payroll
 - General Claims
 - Retirement
9. COMMITTEE REPORTS
 - a. Finance, Administration and Rules Committee
 - b. Land Use, Annexation and Economic Development Committee
 - c. Parks, Recreation and Arts Committee
 - d. Utilities, Transportation and Public Safety Committee

10. **OLD BUSINESS**

- a. **Fourth Reading of Ordinance Z-500-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Park Place (Retirement Community) Planned Unit Development District (Guilford Road and 116th Street); Sponsor: Councilor Sharp. (Land Use, Annexation and Economic Development Committee 1/11/07, continuance requested until 2/8/07).
- b. **Second Reading of Ordinance Z-501-07**; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Legacy Planned Unit Development District (146th and River Road); Sponsor: Councilor Rattermann.

11. **PUBLIC HEARINGS**

12. **NEW BUSINESS**

- a. **First Reading of Ordinance D-1841-07**; An Ordinance of the Common Council of the City of Carmel, Indiana, Enacting and Adopting a Supplement to the Code of Ordinances of the City of Carmel, Indiana (Third Quarter); Sponsor: Councilor Glaser.
- b. **First Reading of Ordinance D-1842-07**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 8, Article 5, Section 8-47(a), of the Carmel City Code by Adding an Additional Sub-Paragraph Thereto (No Parking Areas); Sponsor: Councilor Carter.

13. **OTHER BUSINESS**

City Council Appointments

Carmel-Clay Public Library Board of Trustees (term expires 12/31/07) one appointment

14. **ANNOUNCEMENTS**

15. **EXECUTION OF DOCUMENTS**

16. **ADJOURNMENT**

MONDAY, JANUARY 8, 2007 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

ACTION ON MAYORAL VETOES:

There were none.

CLAIMS:

Councilor Mayo made a motion to approve the claims in the amount of \$1,797,517.08. Councilor Sharp seconded. There was no Council discussion. Council President Griffiths called for the question. Claims were approved 7-0.

COMMITTEE REPORTS:

Councilor Kirby reported that the Finance, Administration and Rules Committee had not met.

Councilor Sharp reported that the Land Use, Annexation and Economic Development Committee had not met. The next meeting will be held on Thursday, January 11, 2007. Per a continuance request from the petitioner, Ordinance Z-500-06 will not be discussed.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met.

Councilor Mayo reported that the Utilities, Transportation and Public Safety Committee had not met.

OLD BUSINESS

Third Reading of Ordinance Z-500-06; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Park Place (Retirement Community) Planned Unit Development District (Guilford Road and 116th Street); Sponsor: Councilor Sharp. (Land Use, Annexation and Economic Development Committee 1/11/07). Councilor Sharp reported that the petitioner had requested a continuance. This item will remain in the Land Use, Annexation and Economic Development Committee until February 8, 2007.

PUBLIC HEARINGS

Council President Griffiths announced the **First Reading of Ordinance Z-501-07;** An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Legacy Planned Unit Development District (146th and River Road). Councilor Sharp made a motion to move this item into business. Councilor Carter seconded. Councilor Rattermann referred to Charles Frankenberger, Nelson & Frankenberger, 3105 E. 98th Street, Indianapolis, IN to present this item to Council. There was no Council discussion. Council President Griffiths opened the Public Hearing at 6:34 p.m.

The following individual spoke in favor of Ordinance Z-501-07:

Joe Shoemaker	14505 Baldwin Lane, Carmel, IN
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The following individuals spoke in opposition to Ordinance Z-501-07:

Thomas Vanderneulen	5917 Silas Moffit Way, Carmel, IN
Sheila Johnson	13200 Griffin Run, Carmel, IN

Seeing no one else who wished to speak, Council President Griffiths closed the Public Hearing at 6:42 p.m. There was brief Council discussion. Council President Griffiths referred Ordinance Z-501-07 to the Land Use, Annexation and Economic Development Committee for further review and consideration.

NEW BUSINESS

There was none.

OTHER BUSINESS

a. City Council Appointments

1. Carmel Plan Commission (Term expires 12/31/2007, beginning January 1), one appointment.

Council President Griffiths opened the floor for nominations to the Camel Plan Commission. Councilor Sharp nominated Councilor Mayo. Councilor Carter seconded. Councilor Glaser nominated Councilor Rattermann. Councilor Rattermann seconded. There were no other nominations. Councilor President Griffiths closed the nominations. Councilor Rattermann addressed the Council. Council President Griffiths called for the vote for Councilor Mayo (5-1). Councilor Mayo was appointed to the Carmel Plan Commission.

2. Police Merit Board (Term expires 12/31/2007), one appointment

Council President Griffiths opened the floor for nominations to the Police Merit Board. Councilor Carter nominated Alana K. Shane. Councilor Kirby seconded. There were no other nominations. Council President Griffiths called for the vote for Ms. Shane (7-0). Ms. Shane was appointed to the Police Merit Board.

ANNOUNCEMENTS

There were none.

EXECUTION OF DOCUMENTS

Mayor Brainard adjourned the meeting at 6:47 p.m.

ADJOURNMENT

Respectfully submitted,

Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

Mayor James Brainard

ATTEST:

Clerk-Treasurer Diana L. Cordray, IAMC

DEPARTMENT NUMBER LISTING

101	GENERAL FUND	403	LEASE/RENTAL FUND
	1110 POLICE DEPARTMENT	404	2002 COIT CONSTRUCTION
	1115 COMMUNICATIONS CENTER	500	LAND AQUISITION FUND
	1120 FIRE DEPARTMENT	501	DNR/TREE CITY GRANT FUND
	1125 PARKS DEPARTMENT-APPROVAL NOT REQUIRED	502	COURT RECORDS PREPETUATION FUND
	1150 BOARD OF PUBLIC WORKS	601	WATER OPERATING FUND
	1160 MAYOR'S OFFICE	602	METER DEPOSIT FUND
	1180 DEPARTMENT OF LAW	604	WATER DEPRECIATION FUND
	1190 PLANNING COMMISSION	605	WATER BOND & INTEREST
	1192 DEPT OF COMMUNITY SERVICE	606	WATER SINKING FUND
	1195 DEPT OF ADMINISTRATION	609	WATER CONNECTION FUND
	1201 HUMAN RESOURCES	610	WATER AVAILABILITY FUND
	1202 INFORMATION SYSTEMS	612	WATER CONSTRUCTION FUND
	1205 GENERAL ADMINISTRATION	651	SEWER OPERATING FUND
	1301 CITY COURT	652	SEWER DEPRECIATION FUND
	1401 COMMON COUNCIL	653	SEWER BOND & INTEREST
	1701 CLERK-TREASURER'S OFFICE	654	SEWER CONSTRUCTION FUND
102	AMBULANCE CAPITAL FUND	659	SEWER CONNECTION FUND
103	PARKS CAPITAL FUND-APPROVAL NOT REQUIRED	660	SEWER AVAILABILITY FUND
104	PARKS PROGRAM FUND-APPROVAL NOT REQUIRED	801	POLICE PENSION FUND
106	PARK IMPACT FEE FUND	802	FIRE PENSION FUND
201	MOTOR VEHICLE HIGHWAY FND	851	FIRE GIFT FUND
	2200 CITY ENGINEER'S OFFICE	852	POLICE PENSION FUND
	2201 STREET DEPARTMENT	853	PARKS GIFT FUND-APPROVAL NOT REQ
202	LOCAL ROAD & STREET FUND	854	PSTC FEASIBILITY STUDY FUND
203	CUM CAP IMPROVEMENT FUND	900	GRANT FUND
206	CUM CAP SEWER FUND	902	REDVMT FUND-APPROVAL NOT REQ
209	DEFERRAL FUND	903	CARMEL ECONOMIC FUND
210	USER FEE FUND	904	CARMEL HOUSING AUTHORITY
211	CUM CAP DEVELOPMENT FUND	911	LAW ENFORCEMENT AID FUND
220	BARRETT LAW FUND	912	RAINY DAY FUND
301	MEDICAL ECSROW FUND	919	THOROUGHFARE FUND
401	2002 COIT BOND & INTEREST		
402	CIVIC SQUARE CONT FUND		

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ACCOUNTS PAYABLE - CITY OF CARMEL

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1701-4344000	231.77	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	902-4344000	134.16	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1160-4344000	233.58	
A T & T	143065	01/09/07	OTHER EXPENSES	601-5023990	840.18	
A T & T	143065	01/09/07	OTHER EXPENSES	651-5023990	569.51	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	911-4344000	154.73	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1110-4344000	1,588.98	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1115-4344000	984.00	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1301-4344000	189.47	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	2201-4344000	49.19	
A T & T	143065	01/09/07	TELEPHONE SERVICE	1192-R4344000 15223	549.84	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	2200-4344000	252.48	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1205-4344000	333.46	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1205-4344000	321.23	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1120-4344000	1,314.41	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1125-4344000	735.54	
A T & T	143065	01/09/07	TELEPHONE LINE CHARGES	1180-4344000	141.83	
						8,624.36
A T & T	143066	01/09/07	31773320012347	2201-4344000	397.19	
A T & T	143066	01/09/07	31773320012347	1120-4344000	133.64	
						530.83
BRIGHT HOUSE NETWORK	143067	01/09/07	400256001	601-5023990	64.95	
BRIGHT HOUSE NETWORK	143067	01/09/07	200870702	1125-4349500	64.95	
BRIGHT HOUSE NETWORK	143067	01/09/07	204462501	2201-4350900	99.95	
BRIGHT HOUSE NETWORK	143067	01/09/07	401454001	1110-4355400	64.95	
BRIGHT HOUSE NETWORK	143067	01/09/07	204235901	1160-4344200	64.95	
BRIGHT HOUSE NETWORK	143067	01/09/07	204131301	1110-4355400	79.95	
BRIGHT HOUSE NETWORK	143067	01/09/07	200835803	1125-4349500	64.95	
BRIGHT HOUSE NETWORK	143067	01/09/07	400811501	1120-4344000	64.95	
						569.60
CARMEL CLAY SCHOOLS	143068	01/09/07	GASOLINE-COMM SERVICE	1192-4231400	342.35	
CARMEL CLAY SCHOOLS	143068	01/09/07	GASOLINE-ENGINEER	2200-4231400	89.00	
CARMEL CLAY SCHOOLS	143068	01/09/07	GASOLINE-ADMINISTRATI	1205-4231400	81.38	
CARMEL CLAY SCHOOLS	143068	01/09/07	GASOLINE-PARKS	1125-4231400	356.67	
CARMEL CLAY SCHOOLS	143068	01/09/07	FUEL-UTILITIES	601-5023990	1,554.06	
CARMEL CLAY SCHOOLS	143068	01/09/07	DIESEL FUEL-PARKS	1125-4231300	31.85	
CARMEL CLAY SCHOOLS	143068	01/09/07	FUEL-UTILITIES	651-5023990	891.73	
CARMEL CLAY SCHOOLS	143068	01/09/07	GASOLINE-MAYOR	1160-4231400	41.14	
CARMEL CLAY SCHOOLS	143068	01/09/07	DIESEL-STREET	2201-R4231300 1847	705.05	
CARMEL CLAY SCHOOLS	143068	01/09/07	GASOLINE-STREET	2201-R4231400 1848	805.29	
CARMEL CLAY SCHOOLS	143068	01/09/07	GASOLINE-COMM CENTER	1115-R4231400 14314	87.06	
						4,985.58
CARMEL UTILITIES	143069	01/09/07	0662270501	902-4348500	20.52	
CARMEL UTILITIES	143069	01/09/07	0791731300	651-5023990	16.20	
CARMEL UTILITIES	143069	01/09/07	0792121400	651-5023990	9.27	
CARMEL UTILITIES	143069	01/09/07	0051208200	1120-4348500	56.43	
CARMEL UTILITIES	143069	01/09/07	1341235001	1125-4348500	115.28	
CARMEL UTILITIES	143069	01/09/07	1341235001	1125-4348500	1.19	
CARMEL UTILITIES	143069	01/09/07	0141932300	1125-4348500	101.82	
CARMEL UTILITIES	143069	01/09/07	0391262001	1125-4348500	19.85	
						340.56
CLAY TWP RWD	143070	01/09/07	0143006091230	1125-4348500	98.94	
CLAY TWP RWD	143070	01/09/07	0341578286817	1125-4348500	46.04	
CLAY TWP RWD	143070	01/09/07	0341578281126	1125-4348500	67.56	

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ACCOUNTS PAYABLE - CITY OF CARMEL

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
						212.54
DUKE ENERGY	143072	01/09/07	22703300018	601-5023990	1,307.18	
DUKE ENERGY	143072	01/09/07	46303531033	601-5023990	103.67	
DUKE ENERGY	143072	01/09/07	66303531034	601-5023990	93.80	
DUKE ENERGY	143072	01/09/07	56403050011	601-5023990	34.29	
DUKE ENERGY	143072	01/09/07	22403050010	651-5023990	22.90	
DUKE ENERGY	143072	01/09/07	51503287033	651-5023990	40.40	
DUKE ENERGY	143072	01/09/07	72003287018	651-5023990	43.44	
DUKE ENERGY	143072	01/09/07	76403050012	651-5023990	18.84	
DUKE ENERGY	143072	01/09/07	26003291013	651-5023990	110.64	
DUKE ENERGY	143072	01/09/07	80303557010	651-5023990	13.15	
DUKE ENERGY	143072	01/09/07	08103292019	651-5023990	25.65	
DUKE ENERGY	143072	01/09/07	14203299010	651-5023990	39.56	
DUKE ENERGY	143072	01/09/07	46303531033	651-5023990	103.67	
DUKE ENERGY	143072	01/09/07	15503287010	1125-4348000	50.22	
DUKE ENERGY	143072	01/09/07	66303531034	651-5023990	93.80	
DUKE ENERGY	143072	01/09/07	16503050017	1125-4348000	115.36	
DUKE ENERGY	143072	01/09/07	38903290010	1125-4348000	9.40	
DUKE ENERGY	143072	01/09/07	62403291019	1125-4348000	8.20	
DUKE ENERGY	143072	01/09/07	26303531032	1125-4348000	164.30	
DUKE ENERGY	143072	01/09/07	06303531031	1125-4348000	199.39	
DUKE ENERGY	143072	01/09/07	42603287015	1125-4348000	526.21	
DUKE ENERGY	143072	01/09/07	52603287010	1125-4348000	83.29	
DUKE ENERGY	143072	01/09/07	41603278010	1120-4348000	927.35	
DUKE ENERGY	143072	01/09/07	51603293022	1110-4348000	97.35	
						4,232.06
DUKE ENERGY	143074	01/09/07	27503050019	2201-4348000	48.64	
DUKE ENERGY	143074	01/09/07	37503050014	2201-4348000	50.56	
DUKE ENERGY	143074	01/09/07	38503050010	2201-4348000	53.42	
DUKE ENERGY	143074	01/09/07	45503050017	2201-4348000	2,792.85	
DUKE ENERGY	143074	01/09/07	46503050013	2201-4348000	163.80	
DUKE ENERGY	143074	01/09/07	47503050010	2201-4348000	16.58	
DUKE ENERGY	143074	01/09/07	48503050016	2201-4348000	39.35	
DUKE ENERGY	143074	01/09/07	55503050012	2201-4348000	12.86	
DUKE ENERGY	143074	01/09/07	57503050015	2201-4348000	16.58	
DUKE ENERGY	143074	01/09/07	58503050011	2201-4348000	51.99	
DUKE ENERGY	143074	01/09/07	17503050013	2201-4348000	117.70	
DUKE ENERGY	143074	01/09/07	65503050018	2201-4348000	212.01	
DUKE ENERGY	143074	01/09/07	66603050011	2201-4348000	7.81	
DUKE ENERGY	143074	01/09/07	67503050010	2201-4348000	38.65	
DUKE ENERGY	143074	01/09/07	68503050017	2201-4348000	50.56	
DUKE ENERGY	143074	01/09/07	75503050013	2201-4348000	99.33	
DUKE ENERGY	143074	01/09/07	36503050018	2201-4348000	1,152.10	
DUKE ENERGY	143074	01/09/07	77503050016	2201-4348000	56.28	
DUKE ENERGY	143074	01/09/07	14603050011	2201-4348000	9.96	
DUKE ENERGY	143074	01/09/07	78503050012	2201-4348000	50.56	
DUKE ENERGY	143074	01/09/07	84703290018	2201-4348000	94.35	
DUKE ENERGY	143074	01/09/07	85503050019	2201-4348000	936.48	
DUKE ENERGY	143074	01/09/07	87503050011	2201-4348000	169.50	
DUKE ENERGY	143074	01/09/07	88503050018	2201-4348000	50.56	
DUKE ENERGY	143074	01/09/07	95503050014	2201-4348000	1,012.38	
DUKE ENERGY	143074	01/09/07	97503050017	2201-4348000	182.94	
DUKE ENERGY	143074	01/09/07	98003579018	2201-4348000	12.54	
DUKE ENERGY	143074	01/09/07	23603283015	2201-4348000	3,297.08	

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ACCOUNTS PAYABLE - CITY OF CARMEL

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
DUKE ENERGY	143074	01/09/07	49203287010	2201-4348000	435.93	
DUKE ENERGY	143074	01/09/07	03503050011	2201-4348000	59.70	
DUKE ENERGY	143074	01/09/07	07503050018	2201-4348000	18.88	
DUKE ENERGY	143074	01/09/07	26503050012	2201-4348000	430.04	
DUKE ENERGY	143074	01/09/07	18503050010	2201-4348000	86.74	
DUKE ENERGY	143074	01/09/07	08503050014	2201-4348000	106.84	
DUKE ENERGY	143074	01/09/07	17603050010	2201-4348000	163.80	
						12,099.35
IPL	143075	01/09/07	1069103	1125-4348000	11.38	
IPL	143075	01/09/07	1263280	2201-4348000	63.26	
IPL	143075	01/09/07	985559	1125-4348000	84.25	
IPL	143075	01/09/07	925743	1125-4348000	45.80	
IPL	143075	01/09/07	1230630	2201-4348000	98.17	
IPL	143075	01/09/07	1230619	2201-4348000	47.99	
IPL	143075	01/09/07	1257158	2201-4348000	13.49	
IPL	143075	01/09/07	1174571	2201-4348000	223.66	
IPL	143075	01/09/07	736499	1120-4348000	1,547.42	
IPL	143075	01/09/07	1220879	1125-4348000	365.38	
IPL	143075	01/09/07	1095795	1125-4348000	154.26	
						2,655.06
NEXTEL COMMUNICATIONS	143076	01/09/07	785850511-058	911-4344000	667.54	
NEXTEL COMMUNICATIONS	143076	01/09/07	590144831-004	1120-4344100	1,014.88	
NEXTEL COMMUNICATIONS	143076	01/09/07	590144831-008	1120-4344100	1,269.09	
						2,951.51
S B C GLOBAL SERVICES	143077	01/09/07	EQUIPMENT MAINT CONTRACTS	1115-4351501	729.32	
						729.32
VECTREN ENERGY	143078	01/09/07	0262017220052332195	1125-4349000	293.57	
						293.57
DIRECT TV	143079	01/09/07	056203803	1115-4353099	79.97	
						79.97
ST PAUL TRAVELERS	143080	01/09/07	INSURANCE	1205-R4347500	15951	17,908.12
ST PAUL TRAVELERS	143080	01/09/07	DEDUCTIBLES	1205-R4347500	13612	2,517.14
						20,425.26
VERIZON WIRELESS	143081	01/09/07	602779148	1120-4344100		1,083.86
VERIZON WIRELESS	143081	01/09/07	501759845	1110-4344100		2,074.41
VERIZON WIRELESS	143081	01/09/07	501283808	911-4344000		71.56
VERIZON WIRELESS	143081	01/09/07	600626807	1192-R4344100	15224	407.94
VERIZON WIRELESS	143081	01/09/07	501759926	1120-4344100		40.77
VERIZON WIRELESS	143081	01/09/07	600826261	1202-4344100		428.86
VERIZON WIRELESS	143081	01/09/07	501759997	1115-4239099		27.98
VERIZON WIRELESS	143081	01/09/07	501759997	1115-4344100		681.89
VERIZON WIRELESS	143081	01/09/07	501759997	1115-R4463100	14319	637.40
						5,454.67
WESTFIELD UTILITIES	143082	01/09/07	PURCHASED WATER	601-5023990		90.82
						90.82
ST PAUL TRAVELERS	143083*	01/09/07	INSURANCE	1205-R4347500	15951	10,000.00
						10,000.00
VERIZON WIRELESS	143084	01/10/07	600202745	1160-4344100		576.44
VERIZON WIRELESS	143084	01/10/07	COMMUNICATION EQUIPMENT	209-R4463100	16153	219.99
						796.43
3 W TRIDEATION LLC	143085	01/10/07	MARKETING & PROMOTIONS	1047-4341991		67.70
3 W TRIDEATION LLC	143085	01/10/07	PEDOMETERS	1047-R4341991	15725	1,275.00
						1,342.70
ASAP SOFTWARE	143086	01/10/07	OFF FURN & EQMT-COLLECTN	652-5023990		925.86

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ACCOUNTS PAYABLE - CITY OF CARMEL

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT	P.O.	INVOICE AMT	CHECK AMT
ASAP SOFTWARE	143086	01/10/07	WIN 2003 SERVER LICENSE	1202-R4463202	15629	4,177.53	
ASAP SOFTWARE	143086	01/10/07	SOFTWARE LICENSES	2200-R4463202	15408	1,543.10	
ASAP SOFTWARE	143086	01/10/07	VLA OFFICE PRO	2201-R4463202	1838	308.62	
ASAP SOFTWARE	143086	01/10/07	3400.50	604-5023990		308.62	
							7,263.73
ABSOLUTE LANDSCAPING INC	143087	01/10/07	LANDSCAPE REPAIR	654-5023990	S10357	1,300.00	
ABSOLUTE LANDSCAPING INC	143087	01/10/07	LANDSCAPE REPAIR	654-5023990	S10357	2,200.00	
							3,500.00
ACE TECHNOLOGIES LLC	143088	01/10/07	1050.73	654-5023990		3,847.50	
ACE TECHNOLOGIES LLC	143088	01/10/07	ELECTRICAL SUPPLIES	609-R5023990	W07106	11,747.43	
ACE TECHNOLOGIES LLC	143088	01/10/07	1050.96	609-5023990		12,900.00	
							28,494.93
ADVANCED TURF SOLUTIONS I	143089	01/10/07	ELECTRO SPRED	2201-R4463500	1865	475.00	
							475.00
AETNA	143090	01/10/07	REFUND-TRIMBLE	102-5023990		228.75	
							228.75
ALL AMERICAN WRECKERS, IN	143091	01/10/07	OTHER CONT SERVICES	1120-4350900		125.00	
							125.00
ALLEN AT YOUR SERVICE, IN	143092	01/10/07	PAINTING	1205-R4350900	16026	1,485.00	
							1,485.00
ALTERNATIVE CLEANING INC	143093	01/10/07	CLEANING SERVICES	1125-4350600		175.00	
							175.00
AMERICAN INDUSTRIAL SERVI	143094	01/10/07	CONT SVS-HAZ WASTE	651-5023990		650.40	
							650.40
AMERICAN LEGAL PUBLISHING	143095	01/10/07	ORDINANCE CODIFICATION	1701-4341953		155.00	
AMERICAN LEGAL PUBLISHING	143095	01/10/07	MATERIALS & SUPPLIES	651-5023990		40.00	
AMERICAN LEGAL PUBLISHING	143095	01/10/07	LIBRARY REF MATERIALS	1110-4469000		40.00	
AMERICAN LEGAL PUBLISHING	143095	01/10/07	ORDINANCE CODIFICATION	1701-4341953		1,281.00	
							1,516.00
AMERICAN MESSAGING	143096	01/10/07	Y2-429517	1115-4350900		41.44	
AMERICAN MESSAGING	143096	01/10/07	Y2-429523	1205-4344100		6.91	
AMERICAN MESSAGING	143096	01/10/07	Y2-429521	2201-4353099		221.02	
AMERICAN MESSAGING	143096	01/10/07	Y2-429520	651-5023990		138.29	
AMERICAN MESSAGING	143096	01/10/07	Y2-429526	1110-4353099		683.77	
AMERICAN MESSAGING	143096	01/10/07	Y2-429520	601-5023990		151.80	
							1,243.23
AMERICAN PLANNING ASSOCIA	143097	01/10/07	ORGANIZATION & MEMBER DUE	1192-4355300		304.00	
AMERICAN PLANNING ASSOCIA	143097	01/10/07	ORGANIZATION & MEMBER DUE	1192-4355300		205.00	
AMERICAN PLANNING ASSOCIA	143097	01/10/07	ORGANIZATION & MEMBER DUE	1192-4355300		95.00	
AMERICAN PLANNING ASSOCIA	143097	01/10/07	ORGANIZATION & MEMBER DUE	1192-4355300		69.00	
							673.00
AMERICAN WATER WORKS ASSO	143098	01/10/07	EMPLOYEE PEN & BENEFITS	601-5023990		150.00	
							150.00
ANGIE'S LIST	143099	01/10/07	SUBSCRIPTIONS	1125-4355200		45.00	
							45.00
ARBOR TREE CO INC	143100	01/10/07	GROUNDS MAINTENANCE	2201-4350400		4,750.00	
							4,750.00
AUTOZONE INC	143101	01/10/07	TRANSPORTATION EXPENSE	601-5023990		82.57	
							82.57
BANC OF AMERICA LEASING	143102	01/10/07	COPIER	902-4353004		348.05	
							348.05
BARNSIGNWORKS.COM AND OLD	143103	01/10/07	TRAFFIC SIGNS	2201-4239030		185.00	
							185.00
BATTERIES PLUS	143104	01/10/07	REPAIR PARTS	1115-4237000		104.97	

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BATTERIES PLUS	143104	01/10/07	OTHER MAINT SUPPLIES	2201-4238900	16.99	
BATTERIES PLUS	143104	01/10/07	OTHER MISCELLANEOUS	1110-4239099	151.72	
BATTERIES PLUS	143104	01/10/07	REPAIR PARTS	1125-4237000	74.50	
						348.18
BEAVER CLEANERS	143105	01/10/07	DRY CLEANING	1110-4356502	2,018.25	
						2,018.25
BEAVER GRAVEL	143106	01/10/07	6200.6	601-5023990	76.25	
						76.25
BEAVER READY MIX CORP	143107	01/10/07	CONT SERVICES OTHER	601-5023990	25.00	
BEAVER READY MIX CORP	143107	01/10/07	CEMENT	2201-4236200	233.50	
BEAVER READY MIX CORP	143107	01/10/07	CEMENT	2201-4236200	306.00	
BEAVER READY MIX CORP	143107	01/10/07	BUILDING REPAIRS & MAINT	2201-4350100	90.00	
BEAVER READY MIX CORP	143107	01/10/07	CEMENT	2201-4236200	209.00	
						863.50
BILL ESTES CHEVROLET	143108	01/10/07	REPAIR PARTS	1120-4237000	34.40	
						34.40
BINGHAM MCHALE LLP	143109	01/10/07	CONT SVS-LEGAL	601-5023990	587.50	
BINGHAM MCHALE LLP	143109	01/10/07	6330.06	601-5023990	110.00	
						697.50
BOONE CO RESOURCE RECOVER	143110	01/10/07	BUILDING REPAIRS & MAINT	2201-4350100	45.00	
						45.00
BOONE COUNTY AUTOMOTIVE,	143111	01/10/07	ACCT 8032	2200-4231500	48.03	
						48.03
BOONE COUNTY AUTOMOTIVE,	143112	01/10/07	REPAIR PARTS	1110-4237000	841.01	
BOONE COUNTY AUTOMOTIVE,	143112	01/10/07	GARAGE & MOTOR SUPPLIES	1110-4232100	776.40	
						1,617.41
BOONE COUNTY AUTOMOTIVE,	143113	01/10/07	ACCT 7995	2201-R4237000	407.26	1858
						407.26
BOONE COUNTY AUTOMOTIVE,	143114	01/10/07	ACCT 7996	1120-4237000	108.49	
						108.49
BOONE COUNTY AUTOMOTIVE,	143115	01/10/07	REPAIR PARTS	1125-4237000	66.65	
BOONE COUNTY AUTOMOTIVE,	143115	01/10/07	OTHER MAINT SUPPLIES	1125-4238900	22.68	
						89.33
BOONE COUNTY AUTOMOTIVE,	143116	01/10/07	TRANSPORTATION EXPENSE	651-5023990	413.06	
						413.06
BOONE COUNTY AUTOMOTIVE,	143117	01/10/07	ACCT 8081	1205-4238900	10.49	
						10.49
BOSE, MCKINNEY & EVANS	143118	01/10/07	CONT SVS-LEGAL	601-5023990	830.37	
BOSE, MCKINNEY & EVANS	143118	01/10/07	LEGAL FEES	610-5023990	764.15	
BOSE, MCKINNEY & EVANS	143118	01/10/07	LEGAL FEES	1125-4340000	819.00	
BOSE, MCKINNEY & EVANS	143118	01/10/07	LEGAL FEES	601-5023990	764.15	
						3,177.67
THE BOX CO	143119	01/10/07	POSTAGE	1110-4342100	38.40	
						38.40
BRADEN BUSINESS SYS, INC	143120	01/10/07	EQUIPMENT MAINT CONTRACTS	2201-4351501	8.85	
BRADEN BUSINESS SYS, INC	143120	01/10/07	EQUIPMENT MAINT CONTRACTS	1202-4351501	4.10	
BRADEN BUSINESS SYS, INC	143120	01/10/07	EQUIPMENT MAINT CONTRACTS	1192-4351501	416.00	
						428.95
GARY BRANDT	143121	01/10/07	GASOLINE	1120-4231400	98.00	
GARY BRANDT	143121	01/10/07	TRAVEL & LODGING	1120-4343003	24.33	
						122.33
KENT BROACH	143122	01/10/07	BZA PER DIEM	1192-4343004	25.00	
						25.00
BROWN EQUIPMENT CO., INC	143123	01/10/07	REPAIR PARTS	2201-4237000	19.61	

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CDW GOVERNMENT INC	143124	01/10/07	HARDWARE	1192-4463201	430.00	19.61
						430.00
C L COONROD & COMPANY	143125	01/10/07	CONSULTING FEES	1160-4340400	169.00	
C L COONROD & COMPANY	143125	01/10/07	DECEMBER FEES	1160-R4340400	15302	1,351.00
C L COONROD & COMPANY	143125	01/10/07	ANNEXATION FEES	1160-4340400		78.00
C L COONROD & COMPANY	143125	01/10/07	DECEMBER FEES	1160-R4340400	15302	3,649.00
						5,247.00
CADRE COMPUTER RESOURCES	143126	01/10/07	WEBSSENSE SUPPORT	1202-R4351502	16001	20,944.00
						20,944.00
CALDERON BROTHERS VENDING	143127	01/10/07	PROMOTIONAL FUNDS	1110-4355100		119.00
						119.00
CALIFORNIA CONTRACTORS SU	143128	01/10/07	MATERIALS & SUPPLIES	651-5023990		99.00
						99.00
CARGILL INC SALT DIVISION	143129	01/10/07	SALT PLANT 5	601-R5023990	W0605	1,354.56
CARGILL INC SALT DIVISION	143129	01/10/07	SALT PLANT 5	601-R5023990	W0605	1,280.00
CARGILL INC SALT DIVISION	143129	01/10/07	SALT PLANT 5	601-R5023990	W0605	.02
CARGILL INC SALT DIVISION	143129	01/10/07	SALT PLANT 5	601-R5023990	W0605	1,325.96
CARGILL INC SALT DIVISION	143129	01/10/07	SALT PLANT 5	601-R5023990	W0605	1,312.11
CARGILL INC SALT DIVISION	143129	01/10/07	SALT PLANT 4	601-R5023990	W0604	1,326.48
CARGILL INC SALT DIVISION	143129	01/10/07	SALT PLANT 3	601-R5023990	W0603	1,257.25
CARGILL INC SALT DIVISION	143129	01/10/07	SALT PLANT 5	601-R5023990	W0605	1,293.48
						9,149.86
CARMEL AUTO & TRUCK SERV.	143130	01/10/07	AUTO REPAIR & MAINTENANCE	1120-4351000		57.87
CARMEL AUTO & TRUCK SERV.	143130	01/10/07	AUTO REPAIR & MAINTENANCE	1120-4351000		87.87
CARMEL AUTO & TRUCK SERV.	143130	01/10/07	AUTO REPAIR & MAINTENANCE	1120-4351000		1,073.47
						1,219.21
CARMEL AUTO REFINISHING	143131	01/10/07	DEDUCTIBLE CAR 23	1110-R4351000	15800	958.00
CARMEL AUTO REFINISHING	143131	01/10/07	CAR REPAIRS-76	1110-R4351000	15516	1,000.00
CARMEL AUTO REFINISHING	143131	01/10/07	AUTO REPAIR & MAINTENANCE	1110-4351000		346.14
						2,304.14
CARMEL FIREFIGHTERS LOCAL	143132	01/10/07	OTHER EXPENSES	851-5023990		329.00
						329.00
CARMEL KITCHEN SPECIALIST	143133	01/10/07	BUILDING REPAIRS & MAINT	1120-4350100		5,000.00
						5,000.00
CARMEL PRO PRINTER	143134	01/10/07	EQUIPMENT REPAIRS & MAINT	1110-4350000		156.44
						156.44
CARMEL TROPHIES PLUS	143135	01/10/07	SPECIAL PROJECTS	1120-4359000		100.00
						100.00
CARMEL WELDING & SUPP INC	143136	01/10/07	EQUIPMENT UPGRADE	1205-R4463500	16032	4,700.00
CARMEL WELDING & SUPP INC	143136	01/10/07	MATERIALS & SUPPLIES	601-5023990		30.79
CARMEL WELDING & SUPP INC	143136	01/10/07	GROUPS MAINT EQUIPMENT	1205-4463500		10.04
CARMEL WELDING & SUPP INC	143136	01/10/07	GROUPS MAINT EQUIPMENT	1205-4463500		558.75
CARMEL WELDING & SUPP INC	143136	01/10/07	REPAIR PARTS	2201-4237000		22.40
CARMEL WELDING & SUPP INC	143136	01/10/07	REPAIR PARTS	2201-4237000		18.63
CARMEL WELDING & SUPP INC	143136	01/10/07	REPAIR PARTS	2201-4237000		95.84
CARMEL WELDING & SUPP INC	143136	01/10/07	GROUPS MAINT EQUIPMENT	1205-4463500		64.95
CARMEL WELDING & SUPP INC	143136	01/10/07	GROUPS MAINT EQUIPMENT	1205-4463500		31.90
CARMEL WELDING & SUPP INC	143136	01/10/07	GROUPS MAINT EQUIPMENT	1205-4463500		40.10
CARMEL WELDING & SUPP INC	143136	01/10/07	GROUPS MAINT SERVICE	1205-R4350400	16033	2,085.20
CARMEL WELDING & SUPP INC	143136*	01/10/07	GROUPS MAINT EQUIPMENT	1205-4463500		-64.95
CARMEL WELDING & SUPP INC	143136*	01/10/07	GROUPS MAINT EQUIPMENT	1205-4463500		-40.10
CARMEL WELDING & SUPP INC	143136*	01/10/07	GROUPS MAINT EQUIPMENT	1205-4463500		-31.90
CARMEL WELDING & SUPP INC	143136*	01/10/07	GROUPS MAINT EQUIPMENT	1205-4463500		-10.04

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CARMEL WELDING & SUPP INC	143136*	01/10/07	REPAIR PARTS	2201-4237000	-95.84	
CARMEL WELDING & SUPP INC	143136*	01/10/07	MATERIALS & SUPPLIES	601-5023990	-30.79	
CARMEL WELDING & SUPP INC	143136*	01/10/07	EQUIPMENT UPGRADE	1205-R4463500	16032	-4,700.00
CARMEL WELDING & SUPP INC	143136*	01/10/07	REPAIR PARTS	2201-4237000	-22.40	
CARMEL WELDING & SUPP INC	143136*	01/10/07	GROUND MAINT SERVICE	1205-R4350400	16033	-2,085.20
CARMEL WELDING & SUPP INC	143136*	01/10/07	REPAIR PARTS	2201-4237000	-18.63	
CARMEL WELDING & SUPP INC	143136*	01/10/07	GROUND MAINT EQUIPMENT	1205-4463500	-558.75	
						.00
CARMEL WELDING & SUPP INC	143137	01/10/07	REPAIR PARTS	1125-4237000	32.59	
CARMEL WELDING & SUPP INC	143137	01/10/07	SMALL TOOLS & MINOR EQUIP	1125-4238000	13.74	
CARMEL WELDING & SUPP INC	143137	01/10/07	OIL	1125-4231500	33.66	
						79.99
GARY CARTER	143138	01/10/07	OTHER FEES & LICENSES	1120-4358300	15.00	
						15.00
CENSUS BUREAU	143139	01/10/07	CENSUS & ELECTION FEES	1205-4358500	423,464.00	
						423,464.00
CHANNING L BETE CO, INC	143140	01/10/07	FIRST AID TRAINING MANUAL	1046-R4357004	15784	301.32
						301.32
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	SLIP FITTER, BULBS	651-5023990	S10388	752.82
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	MATERIALS & SUPPLIES	601-5023990		138.91
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	MATERIALS & SUPPLIES	601-5023990		-10.10
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	MATERIALS & SUPPLIES	601-5023990		66.53
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	MATERIALS & SUPPLIES	601-5023990		.91
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	MATERIALS & SUPPLIES	601-5023990		41.00
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	MATERIALS & SUPPLIES	601-5023990		81.00
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	MATERIALS & SUPPLIES	601-5023990		40.85
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	MATERIALS & SUPPLIES	601-5023990		98.44
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	STREET LIGHT REPAIRS	2201-4350080		139.58
CHAPMAN ELEC SUPPLY INC	143141	01/10/07	SLIP FITTER, BULBS	651-5023990	S10388	-90.00
						1,259.94
CHEM-AQUA, INC	143142	01/10/07	BUILDING REPAIRS & MAINT	1110-4350100		173.24
						173.24
CINTAS CORPORATION #018	143143	01/10/07	LAUNDRY SERVICE	1110-4356501		47.12
CINTAS CORPORATION #018	143143	01/10/07	LAUNDRY SERVICE	2201-4356501		325.07
CINTAS CORPORATION #018	143143	01/10/07	LAUNDRY SERVICE	2201-4356501		268.30
CINTAS CORPORATION #018	143143	01/10/07	LAUNDRY SERVICE	2201-4356501		20.00
CINTAS CORPORATION #018	143143	01/10/07	LAUNDRY SERVICE	2201-4356501		348.07
CINTAS CORPORATION #018	143143	01/10/07	LAUNDRY SERVICE	1110-4356501		43.16
CINTAS CORPORATION #018	143143	01/10/07	LAUNDRY SERVICE	1110-4356501		43.16
						1,094.88
CINTAS FIRST AID & SAFETY	143144	01/10/07	MATERIALS & SUPPLIES	651-5023990		93.20
						93.20
CIRCLE CITY GMC TRUCK	143145	01/10/07	REPAIR PARTS	2201-R4351000	1862	141.92
						141.92
CLARK TIRE INC	143146	01/10/07	AUTO REPAIR & MAINTENANCE	1120-4351000		45.00
						45.00
CLAY TOWNSHIP	143147	01/10/07	ELECTRICITY	1120-4348000		1,104.40
CLAY TOWNSHIP	143147	01/10/07	OTHER MAINT SUPPLIES	1120-4238900		136.39
CLAY TOWNSHIP	143147	01/10/07	WATER & SEWER	1120-4348500		161.35
CLAY TOWNSHIP	143147	01/10/07	GROUND MAINTENANCE	1120-4350400		88.00
CLAY TOWNSHIP	143147	01/10/07	GAS	1120-4349000		1,085.12
CLAY TOWNSHIP	143147	01/10/07	OTHER CONT SERVICES	1120-4350900		82.50
CLAY TOWNSHIP	143147	01/10/07	TRASH COLLECTION	1120-4350101		80.37
CLAY TOWNSHIP	143147	01/10/07	TELEPHONE LINE CHARGES	1120-4344000		234.60

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COMMUNITY OCCUPATIONAL HE	143148	01/10/07	MEDICAL FEES	1047-4340700	533.00	2,972.73
COMMUNITY OCCUPATIONAL HE	143148	01/10/07	MEDICAL FEES	1125-R4340700 15981	41.00	
CONCEPT PRINTS, INC	143149	01/10/07	CANVAS CAPS	1047-R4341991 15726	2,665.00	574.00
CONFIDENTIAL FUNDS	143150	01/10/07	SPECIAL INVESTIGATION FEE	911-4358200	4,000.00	2,665.00
CONTINENTAL RESEARCH CORP	143151	01/10/07	BITUMINOUS MATERIALS	2201-4236300	97.92	4,000.00
CONTINENTAL RESEARCH CORP	143151	01/10/07	TUFF STUFF	2201-R4236300 1840	2,025.00	
HUGHIE COOPER	143152	01/10/07	OTHER EXPENSES	651-5023990	120.00	2,122.92
COPYCO	143153	01/10/07	COPIER	2200-4353004	336.66	120.00
COPYCO	143153	01/10/07	COPIER LEASE	2200-R4353004 14735A	296.00	
CORD CAMERA CENTERS INC	143154	01/10/07	FILM DEVELOPMENT	1110-4341901	173.85	632.66
CORD CAMERA CENTERS INC	143154	01/10/07	OTHER MISCELLANEOUS	1110-4239099	18.99	
DIANA CORDRAY	143155	01/10/07	RECORDING FEES	1701-4340600	26.00	192.84
CORPORATE CONCEPTS	143156	01/10/07	SPORTS BOTTLES	1047-R4341991 15724	3,095.00	26.00
CORRELATED PRODUCTS INC.	143157	01/10/07	MATERIALS & SUPPLIES	651-5023990	732.50	3,095.00
CREATIVE PROMOTIONAL ITEM	143158	01/10/07	DELUXE SPORT DUFFLE	1047-R4341991 15763	6,250.00	732.50
CROSSROAD ENGINEERS, PC	143159	01/10/07	ADDL #69/PLAN REVIEW	206-R4350900 15048	2,825.00	6,250.00
CROSSROAD ENGINEERS, PC	143159	01/10/07	ADDL #70/ON CALL CONSULTI	1205-R4350900 15050	5,532.50	
CROSSROAD ENGINEERS, PC	143159	01/10/07	ADDL 64/MISC PROJECTS	2200-R4340100 15034	3,385.20	
CTW ELECTRICAL CO INC	143160	01/10/07	REPAIR PARTS	2201-4237000	162.10	11,742.70
CTW ELECTRICAL CO INC	143160	01/10/07	REPAIR PARTS	2201-4237000	173.37	
CTW ELECTRICAL CO INC	143160	01/10/07	SPECIAL DEPT SUPPLIES	2201-4239011	230.00	
CURRENT IN CARMEL	143161	01/10/07	CITY PROMOTION ADVERTISIN	902-4346500	2,200.00	565.47
DQP PRINTING	143162	01/10/07	PROMOTIONAL PRINTING	1110-4345002	4.24	2,200.00
DEERING CLEANERS	143163	01/10/07	CLEANING SERVICES	1120-4350600	50.00	4.24
DELIVRA	143164	01/10/07	OTHER PROFESSIONAL FEES	1160-4341999	97.50	50.00
CHARLES RYAN DEMLER	143165	01/10/07	ENTERTAINMENT	1046-4341985 15781	700.00	97.50
DEPT OF NATURAL RESOURCES	143166	01/10/07	OTHER EXPENSES	601-5023990	100.00	700.00
LEO DIERCKMAN	143167	01/10/07	BZA PER DIEM	1192-4343004	225.00	100.00
DISCOUNT SCHOOL SUPPLIES	143168	01/10/07	GENERAL PROGRAM SUPPLIES	1046-4239039	253.29	225.00
DISCOUNT SCHOOL SUPPLIES	143168	01/10/07	OTHER MISCELLANEOUS	1046-4239099	460.54	
DOMESTIC UNIFORM RENTAL	143169	01/10/07	CLEANING SERVICES	1115-4350600	35.70	713.83
						35.70

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
DONLEY SAFETY	143170	01/10/07	AUTO REPAIR & MAINTENANCE	1120-4351000	615.00	
DONLEY SAFETY	143170	01/10/07	AUTO REPAIR & MAINTENANCE	1120-4351000	1,701.49	
DONLEY SAFETY	143170	01/10/07	AUTO REPAIR & MAINTENANCE	1120-4351000	2,019.18	
DONLEY SAFETY	143170	01/10/07	AUTO REPAIR & MAINTENANCE	1120-4351000	2,214.84	
						6,550.51
LINDSAY DUDECK	143171	01/10/07	MISCELLANEOUS SUPPLIES	1125-4239000	100.00	
						100.00
E M S INSIDER	143172	01/10/07	SUBSCRIPTIONS	1120-4355200	159.00	
						159.00
EAGLE TRIDENT CORP	143173	01/10/07	GROUNDS MAINTENANCE	1125-4350400	970.00	
						970.00
EAST SIDE GAS INC	143174	01/10/07	TRANSPORTATION EXPENSE	651-5023990	30.42	
						30.42
ECLIPSE RACKMOUNT INC	143175	01/10/07	15 INCH LCD	1202-R4463201 15632	1,077.00	
						1,077.00
EMBROIDERY PLUS	143176	01/10/07	UNIFORMS	1120-4356001	144.00	
EMBROIDERY PLUS	143176	01/10/07	UNIFORMS	1120-4356001	2,974.25	
						3,118.25
HAL ESPEY	143177	01/10/07	OTHER PROFESSIONAL FEES	1401-4341999	600.00	
HAL ESPEY	143177	01/10/07	TAPING SERVICES	1192-R4341999 15222	500.00	
						1,100.00
EVERETT J PRESCOTT INC	143178	01/10/07	METERS	604-R5023990 W07196	1,552.00	
						1,552.00
EXECU CAR LEASING & SALES	143179	01/10/07	AUTOMOBILE LEASE	1110-4352600	600.00	
EXECU CAR LEASING & SALES	143179	01/10/07	AUTOMOBILE LEASE	1110-4352600	600.00	
EXECU CAR LEASING & SALES	143179	01/10/07	AUTOMOBILE LEASE	1110-4352600	600.00	
EXECU CAR LEASING & SALES	143179	01/10/07	AUTOMOBILE LEASE	1110-4352600	600.00	
EXECU CAR LEASING & SALES	143179	01/10/07	AUTOMOBILE LEASE	1110-4352600	600.00	
						3,000.00
EXPRESS GRAPHICS	143180	01/10/07	AUTO REPAIR & MAINTENANCE	1110-4351000	45.00	
						45.00
F E HARDING ASPHALT CO, I	143181	01/10/07	BITUMINOUS MATERIALS	2201-4236300	46.49	
F E HARDING ASPHALT CO, I	143181	01/10/07	BITUMINOUS MATERIALS	2201-4236300	46.04	
F E HARDING ASPHALT CO, I	143181	01/10/07	BITUMINOUS MATERIALS	2201-4236300	46.49	
F E HARDING ASPHALT CO, I	143181	01/10/07	BITUMINOUS MATERIALS	2201-4236300	44.70	
F E HARDING ASPHALT CO, I	143181	01/10/07	BITUMINOUS MATERIALS	2201-4236300	44.70	
F E HARDING ASPHALT CO, I	143181	01/10/07	BITUMINOUS MATERIALS	2201-4236300	44.70	
						273.12
FASTENAL COMPANY	143182	01/10/07	POSTS & HARDWARE	2201-4239032	29.21	
FASTENAL COMPANY	143182	01/10/07	BOLTS	601-5023990 W07219	262.67	
FASTENAL COMPANY	143182	01/10/07	MATERIALS & SUPPLIES	651-5023990	71.14	
						363.02
FEDEX KINKO'S	143183	01/10/07	POSTAGE	2200-4342100	15.89	
FEDEX KINKO'S	143183	01/10/07	STATIONARY & PRNTD MATERL	1192-4230100	25.50	
						41.39
FINELINE PRINTING GROUP	143184	01/10/07	OTHER EXPENSES	651-5023990	891.84	
FINELINE PRINTING GROUP	143184	01/10/07	OTHER EXPENSES	601-5023990	891.84	
						1,783.68
FIRST INDIANA BANK	143185	01/10/07	JAN 2007 PMT	902-4460822	8,500.00	
						8,500.00
FRAME DESIGNS	143186	01/10/07	OTHER MISCELLANEOUS	902-4239099	288.40	
						288.40
FRED PRYOR SEMINARS	143187	01/10/07	INSTRUCTION FEES	1192-R4357004 16110	298.00	
						298.00

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FRY'S ELECTRONICS	143188	01/10/07	MATERIALS & SUPPLIES	651-5023990	89.99	
						89.99
G & K SERVICES INC	143189	01/10/07	MATERIALS & SUPPLIES	601-5023990	333.00	
						333.00
GE SUPPLY	143190	01/10/07	LIGHTING	601-R5023990 W07177	420.36	
						420.36
GENERAL SHALE & BRICK	143191	01/10/07	STORM SEWER MAINT SUPPLS	206-4237001	25.90	
						25.90
GIBRALTER FINANCIAL	143192	01/10/07	OTHER PROFESSIONAL FEES	1115-4341999	110.00	
						110.00
GILLE & COMPANY	143193	01/10/07	REPAIR PARTS	2201-4237000	108.09	
						108.09
GLOBAL SHRED	143194	01/10/07	OTHER CONT SERVICES	1120-4350900	65.00	
						65.00
GLOCK INC TRAINING DEPT	143195	01/10/07	RANGE SUPPLIES	1110-R4239010 15819	181.00	
GLOCK INC TRAINING DEPT	143195	01/10/07	RANGE SUPPLIES	1110-R4239010 15819	27.00	
						208.00
BRUCE A GRAHAM	143196	01/10/07	TUITION REIMBURSEMENT	1110-R4128000 15825	2,655.00	
						2,655.00
GRAINGER INC	143197	01/10/07	OTHER EXPENSES	651-5023990	5.20	
GRAINGER INC	143197	01/10/07	OTHER MAINT SUPPLIES	1110-4238900	93.36	
GRAINGER INC	143197	01/10/07	OTHER EXPENSES	651-5023990	129.32	
GRAINGER INC	143197	01/10/07	OTHER EXPENSES	651-5023990	133.18	
GRAINGER INC	143197	01/10/07	OTHER EXPENSES	651-5023990	83.28	
GRAINGER INC	143197	01/10/07	PIPE WRENCH, PAINT	651-R5023990 S10390	504.18	
GRAINGER INC	143197	01/10/07	MATERIALS & SUPPLIES	601-5023990	30.30	
GRAINGER INC	143197	01/10/07	MATERIALS & SUPPLIES	601-5023990	126.36	
GRAINGER INC	143197	01/10/07	OTHER EXPENSES	651-5023990	25.22	
GRAINGER INC	143197	01/10/07	OTHER EXPENSES	651-5023990	144.20	
GRAINGER INC	143197	01/10/07	OTHER EXPENSES	651-5023990	45.00	
GRAINGER INC	143197	01/10/07	OTHER EXPENSES	651-5023990	497.28	
GRAINGER INC	143197	01/10/07	OTHER EXPENSES	651-5023990	171.45	
GRAINGER INC	143197	01/10/07	CHAINS/MISC ITEMS	1205-R4238900 15197	480.12	
						2,468.45
TIMOTHY J. GREEN	143198	01/10/07	TUITION REIMBURSEMENT	1110-R4128000 15825	2,655.00	
						2,655.00
PAMELA GRIFFITHS	143199	01/10/07	EXTERNAL TRAINING TRAVEL	1202-4343002	34.49	
PAMELA GRIFFITHS	143199	01/10/07	EXTERNAL TRAINING TRAVEL	1202-4343002	23.59	
						58.08
DEBRA GRISHAM	143200	01/10/07	LEGAL FEES	1125-4340000	4,207.50	
						4,207.50
GROUND RULES INC	143201	01/10/07	VISION 2020 PLAN UPDATE	1192-R4340400 14132	1,938.00	
						1,938.00
JOANNE GUIEB	143202	01/10/07	TRAVEL FEES & EXPENSES	1046-4343000	224.28	
						224.28
H D SUPPLY WATERWORKS LTD	143203	01/10/07	MATERIALS & SUPPLIES	601-5023990	149.76	
H D SUPPLY WATERWORKS LTD	143203	01/10/07	7202.0	651-5023990	10.76	
H D SUPPLY WATERWORKS LTD	143203	01/10/07	FLAGS	601-5023990 W07218	255.42	
						415.94
HP PRODUCTS	143204	01/10/07	OTHER MAINT SUPPLIES	1120-4238900	2,112.32	
HP PRODUCTS	143204	01/10/07	OTHER MISCELLANEOUS	1120-4239099	2,725.25	
						4,837.57
H.H. GREGG INC	143205	01/10/07	APPLIANCES	102-4463300	355.30	
						355.30

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HACH COMPANY	143206	01/10/07	MATERIALS & SUPPLIES	601-5023990	238.50	
						238.50
HAINES & COMPANY INC	143207	01/10/07	OTHER RENTAL & LEASES	1110-4353099	389.50	
HAINES & COMPANY INC	143207	01/10/07	OTHER RENTAL & LEASES	1110-4353099	183.50	
						573.00
HALL SIGNS, INC. (HALL 10	143208	01/10/07	STREET SIGNS	2201-R4239031 1778	1,459.73	
						1,459.73
HALL, RENDER, KILLIAN, HEATH	143209	01/10/07	OLD MERIDIAN PROJECT	202-4462837	3,937.66	
						3,937.66
HAMILTON COUNTY CO-OP INC	143210	01/10/07	OIL	2201-R4231500 1851	415.25	
HAMILTON COUNTY CO-OP INC	143210	01/10/07	OIL	2201-R4231500 1851	117.00	
HAMILTON COUNTY CO-OP INC	143210	01/10/07	OIL	2201-4231500	124.36	
HAMILTON COUNTY CO-OP INC	143210	01/10/07	OIL	2201-R4231500 1851	51.00	
HAMILTON COUNTY CO-OP INC	143210	01/10/07	OIL	2201-R4231500 1851	606.75	
						1,314.36
HAMILTON COUNTY PROSECUTO	143211	01/10/07	OTHER CONT SERVICES	1110-4350900	16,954.88	
						16,954.88
HAMILTON COUNTY TREASURER	143212	01/10/07	HUMANE SOCIETY SERVICES	1110-4357500	1,889.28	
						1,889.28
JENNIFER HAMMONS	143213	01/10/07	SPECIAL ACTIVITY SUPPLIES	1046-4239037	161.96	
JENNIFER HAMMONS	143213	01/10/07	TRAVEL FEES & EXPENSES	1046-4343000	550.02	
						711.98
HARLAND	143214	01/10/07	OFFICIAL FORMS	1701-4230000	433.55	
						433.55
C DEAN HARRILL & DOTTIE H	143215	01/10/07	STREET DEPT FACILITY	902-4460814	8,000.00	
						8,000.00
HARRIS COMPUTER SYSTEMS	143216	01/10/07	CONT SVS-OTHER	651-5023990	1,014.00	
HARRIS COMPUTER SYSTEMS	143216	01/10/07	OTHER EXPENSES	651-5023990	1,014.00	
						2,028.00
JAMES R HAWKINS	143217	01/10/07	BZA PER DIEMS	1192-4343004	225.00	
						225.00
HAZEL DELL FAMILY CARE	143218	01/10/07	MEDICAL FEES	1125-4340700	149.00	
						149.00
NANCY HECK	143219	01/10/07	PROMOTIONAL FUNDS	1160-4355100	70.81	
						70.81
HEWLETT PACKARD INC	143220	01/10/07	DISK DRIVES	1202-R4463201 16006	1,707.00	
HEWLETT PACKARD INC	143220	01/10/07	CLEANING TAPES	1202-R4463201 15625	140.00	
HEWLETT PACKARD INC	143220	01/10/07	LARGE FORMAT PLOTTER	1202-R4463201 16007	8,262.00	
						10,109.00
DICK HILL	143221	01/10/07	POSTAGE	2200-4342100	19.13	
						19.13
HINCKLEY SPRINGS	143222	01/10/07	MATERIALS & SUPPLIES	651-5023990	537.96	
HINCKLEY SPRINGS	143222	01/10/07	OTHER MISCELLANEOUS	1301-4239099	50.46	
						588.42
HYDRA AIR/VORTEX	143223	01/10/07	GARAGE & MOTOR SUPPLIES	2201-4232100	291.00	
						291.00
HYLANT GROUP	143224	01/10/07	GENERAL INSURANCE	1205-4347500	15.00	
						15.00
I C M A PRODUCT FULFILLME	143225	01/10/07	THE ETHICS EDGE	1201-R4469000 15194	68.50	
						68.50
IBS OF INDIANAPOLIS	143226	01/10/07	REPAIR PARTS	1110-4237000	64.89	
IBS OF INDIANAPOLIS	143226	01/10/07	REPAIR PARTS	1110-4237000	77.97	
IBS OF INDIANAPOLIS	143226	01/10/07	REPAIR PARTS	1110-4237000	77.97	
						220.83

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT	P.O.	INVOICE AMT	CHECK AMT
ICE MOUNTAIN SPRING WATER	143227	01/10/07	OTHER MAINT SUPPLIES	2201-4238900		8.99	
							8.99
ILLINOIS PARK & REC ASSOC	143228	01/10/07	JOB POSTING	1125-4346000	15765	175.00	
ILLINOIS PARK & REC ASSOC	143228	01/10/07	JOB POSTING	1125-4346000	15765	175.00	
							350.00
IMAGE WARE SYSTEMS INC	143229	01/10/07	CANINE CONTRACT	1110-4351503		1,224.14	
							1,224.14
IMPACT	143230	01/10/07	ORGANIZATION & MEMBER DUE	1201-4355300		70.00	
							70.00
IMPACT	143231	01/10/07	EXTERNAL INSTRUCT FEES	1201-4357004		50.00	
							50.00
INDIANA ARBORIST ASSOCIAT	143232	01/10/07	INSTRUCTION FEES	1192-R4357004	16110	745.00	
INDIANA ARBORIST ASSOCIAT	143232	01/10/07	DUES	1192-R4355300	16108	124.50	
INDIANA ARBORIST ASSOCIAT	143232	01/10/07	ORGANIZATION & MEMBER DUE	1192-4355300		190.50	
							1,060.00
INDIANA ASSOC OF CHIEFS O	143233	01/10/07	OTHER PROFESSIONAL FEES	1110-4341999		500.00	
							500.00
INDIANA ASSOCIATION OF CI	143234	01/10/07	DUES	1160-4355300	16206	12,895.00	
							12,895.00
INDIANA GREEN EXPO	143235	01/10/07	REGISTRATION FEES	1125-R4357004	15759	140.00	
							140.00
INDIANA LEAGUE OF MUN C-T	143236	01/10/07	CORDRAY/SHEEKS	1701-4355300		185.00	
							185.00
INDIANA NEWSPAPERS, INC	143237	01/10/07	PUBLICATION OF LEGAL ADS	1701-4345500		56.58	
INDIANA NEWSPAPERS, INC	143237	01/10/07	PUBLICATION OF LEGAL ADS	1125-4345500		125.47	
INDIANA NEWSPAPERS, INC	143237	01/10/07	PUBLICATION OF LEGAL ADS	1125-4345500		143.62	
							325.67
INDIANA NEWSPAPERS, INC	143238	01/10/07	IS 677527 PARKS	1047-4355200		130.00	
INDIANA NEWSPAPERS, INC	143238	01/10/07	IS 784825 ENGINEERING	2200-4355200		130.00	
							260.00
INDIANA OFFICE OF TECHNOL	143239	01/10/07	INTERNET LINE CHARGES	1115-4344200		338.81	
							338.81
INDIANA OXYGEN CO	143240	01/10/07	BOTTLED GAS	2201-4231100		35.34	
							35.34
INDIANA POLICE ACCREDITAT	143241	01/10/07	ORGANIZATION & MEMBER DUE	1115-4355300		150.00	
							150.00
INDIANA SECRETARY OF STAT	143242	01/10/07	OTHER MISCELLANOUS	1701-4239099		7.00	
							7.00
INDIANA URBAN FOREST COUN	143243	01/10/07	INSTRUCTION FEES	1192-R4357004	16110	70.00	
							70.00
INDIANAPOLIS BUSINESS JOU	143244	01/10/07	SUBSCRIPTIONS	1125-4355200		64.00	
							64.00
INDIANAPOLIS BUSINESS JOU	143245	01/10/07	SUBSCRIPTIONS	1110-4355200		64.00	
							64.00
INDIANAPOLIS MUSICIANS	143246	01/10/07	PERFORMANCE	1046-4341985	15785	97.20	
INDIANAPOLIS MUSICIANS	143246	01/10/07	PERFORMANCE	1046-4341985	15785	97.20	
							194.40
INFORMATION SERVICES AGEN	143247	01/10/07	OTHER CONT SERVICES	1115-4350900		175.00	
							175.00
INNOVATIVE INTEGRATION, I	143248	01/10/07	CITRIX SUPPORT	1202-R4340402	15618	300.00	
INNOVATIVE INTEGRATION, I	143248	01/10/07	CITRIX SUPPORT	1202-R4340402	15618	150.00	
							450.00
INST OF POLICE TECHNOLOGY	143249	01/10/07	TRAINING	1110-R4357004	15807	625.00	
							625.00

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INTEGRITY AUTOMOTIVE INC	143250	01/10/07	BUILDING REPAIRS & MAINT	1125-4350100	595.15	
INTEGRITY AUTOMOTIVE INC	143250	01/10/07	AUTO REPAIR & MAINTENANCE	1125-4351000	984.72	
						1,579.87
INTERNATIONAL CODE COUNCI	143251	01/10/07	REFERENCE MATERIALS	1192-R4469000	71.00	71.00
INTERNATL CONF OF POLICE	143252	01/10/07	ORGANIZATION & MEMBER DUE	1110-4355300	125.00	125.00
INWELD CORPORATION	143253	01/10/07	OTHER CONT SERVICES	1120-4350900	266.61	266.61
IRON AGE CORP	143254	01/10/07	BOOTS	651-R5023990	115.00	717.99
IRON AGE CORP	143254	01/10/07	BOOTS	651-R5023990	602.99	
IRON MOUNTAIN RECORDS MGT	143255	01/10/07	OTHER PROFESSIONAL FEES	1701-4341999	267.37	267.37
IRVING MATERIALS INC	143256	01/10/07	GRAVEL	2201-4236000	433.65	433.65
IRWIN COMPUTING	143257	01/10/07	CITY WEB PAGE UPDATES	1160-R4355400	1,890.00	
IRWIN COMPUTING	143257	01/10/07	WEB PAGE FEES	1160-4355400	3,000.00	4,890.00
J.W. FLYNN COMPANY	143258	01/10/07	GENERAL INSURANCE	1301-4347500	100.00	100.00
JACOB-DIETZ, INC	143259	01/10/07	OTHER CONT SERVICES	1120-4350900	78.75	78.75
JAMES H DREW CORPORATION	143260	01/10/07	GUARDRAIL REPAIRS	2201-R4350900	1,999.00	1,999.00
JOHN E REID AND ASSOCIATE	143261	01/10/07	TRAINING	210-4357000	1,650.00	1,650.00
JEAN JUNKER	143262	01/10/07	EXTERNAL TRAINING TRAVEL	1120-4343002	24.00	24.00
MICHAEL A. KAUFMAN MD	143263	01/10/07	INTERNAL INSTRUCT FEES	1120-4357003	3,000.00	3,000.00
KELLY SCHOOL OF BUSINESS	143264	01/10/07	INSTRUCTION FEES	1192-R4357004	1,200.00	1,200.00
KIESLER POLICE SUPPLY INC	143265	01/10/07	CLEANING SUPPLIES	1110-R4239010	542.80	542.80
KILBURN CLASSIC CONSTRUCT	143266	01/10/07	DOOR REPLACEMENT	1205-R4350100	11,953.25	11,953.25
JARED KINNEY	143267	01/10/07	EXTERNAL INSTRUCT FEES	1120-4357004	110.00	110.00
KIPP BROTHERS	143268	01/10/07	FESTIVAL/COMMUNITY EVENTS	902-4359003	144.00	144.00
KIRBY RISK ELECTRICAL SUP	143269	01/10/07	MATERIALS & SUPPLIES	601-5023990	32.90	
KIRBY RISK ELECTRICAL SUP	143269	01/10/07	MATERIALS & SUPPLIES	651-5023990	17.19	
KIRBY RISK ELECTRICAL SUP	143269	01/10/07	1050.96	609-5023990	2,200.00	2,250.09
KOHL'S DEPARTMENT STORES	143270	01/10/07	MATERIALS & SUPPLIES	601-5023990	39.99	
KOHL'S DEPARTMENT STORES	143270	01/10/07	MATERIALS & SUPPLIES	651-5023990	39.99	79.98
KONICA MINOLTA BUSINESS S	143271	01/10/07	COPIER LEASE	1125-R4351501	1,818.00	1,818.00
KONICA MINOTLA BUSINESS S	143272	01/10/07	COPIER	1160-4353004	657.00	657.00
KONICA MINOTLA BUSINESS S	143273	01/10/07	COPIER	1701-4353004	1,167.00	1,167.00

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KONICA MINOLTA BUSINESS S	143274	01/10/07	COPIER LEASE	1192-R4351501	16103	808.20	
KONICA MINOLTA BUSINESS S	143274	01/10/07	COPIER	1110-4353004		237.75	
KONICA MINOLTA BUSINESS S	143274	01/10/07	COPIER	1110-4353004		105.41	
KORTE BROTHERS INC.	143275	01/10/07	TRANSPORTATION EXPENSE	651-5023990		78.80	1,151.36
KROGER CO	143276	01/10/07	SPECIAL ACTIVITY SUPPLIES	1046-4239037		451.95	78.80
KROGER CO	143276	01/10/07	FOOD & BEVERAGES	1046-4239040		37.15	
KROGER CO	143276	01/10/07	OTHER MISCELLANOUS	1047-4239099		46.50	
KROGER CO	143277	01/10/07	TRAVEL & LODGING	1110-4343003		26.21	535.60
KUSTOM SIGNALS, INC	143278	01/10/07	EQUIPMENT REPAIRS & MAINT	1110-4350000		94.50	26.21
L & W CONSTRUCTION CO	143279	01/10/07	WINTERIZING PARKS	1125-4350400	16053	3,810.24	94.50
LAFEVER ELECTRIC, INC.	143280	01/10/07	BUILDING REPAIRS & MAINT	1110-4350100		198.77	3,810.24
LAFEVER ELECTRIC, INC.	143280	01/10/07	BUILDING REPAIRS & MAINT	1120-4350100		9,477.00	
LAWRENCE RAGAN COMMUNICAT	143281	01/10/07	SUBSCRIPTIONS	1192-4355200		89.00	9,675.77
LE ISLEY & SONS, INC.	143282	01/10/07	BUILDING REPAIRS & MAINT	1120-4350100		178.00	89.00
LEAF	143283	01/10/07	OTHER EXPENSES	604-5023990		84.38	178.00
LEAF	143283	01/10/07	OFF FURN & EQMT-TRTM & DI	652-5023990		84.37	
LECTRO-COMMUNICATIONS INC	143284	01/10/07	RADIO MAINTENANCE	1120-4350500		63.00	168.75
LECTRO-COMMUNICATIONS INC	143284	01/10/07	RADIO MAINTENANCE	1120-4350500		201.55	
LECTRO-COMMUNICATIONS INC	143284	01/10/07	RADIO MAINTENANCE	1120-4350500		209.35	
LECTRO-COMMUNICATIONS INC	143284	01/10/07	RADIO MAINTENANCE	1115-4350500		80.00	
LECTRO-COMMUNICATIONS INC	143284	01/10/07	SMALL TOOLS & MINOR EQUIP	1115-4238000		92.00	
LECTRO-COMMUNICATIONS INC	143284	01/10/07	EQUIPMENT MAINT CONTRACTS	1115-4351501		16,512.00	
LECTRO-COMMUNICATIONS INC	143284	01/10/07	RADIO MAINTENANCE	1115-4350500		102.00	17,259.90
LEGACY PHOTOGRAPHY & DESI	143285	01/10/07	EXPENSES	1160-R4340400	7606	2,460.00	
LEGACY PHOTOGRAPHY & DESI	143285	01/10/07	EXPENSES	1160-R4340400	7606	1,500.00	
LEGACY PHOTOGRAPHY & DESI	143285	01/10/07	EXPENSES	1160-R4340400	7606	2,940.00	
LEGACY PHOTOGRAPHY & DESI	143285	01/10/07	EXPENSES	1160-R4340400	7606	300.00	
LEGACY PHOTOGRAPHY & DESI	143285	01/10/07	EXPENSES	1160-R4340400	7606	2,460.00	9,660.00
BRENT LIGGETT	143286	01/10/07	GASOLINE	1192-4231400		36.05	
BRENT LIGGETT	143286	01/10/07	INSTRUCTION FEES	1192-R4357004	16110	150.00	186.05
LOWE'S COMPANIES INC	143287	01/10/07	905695	1205-R4350000	15954	69.94	
LOWE'S COMPANIES INC	143287	01/10/07	902288	1205-R4350000	15954	26.92	96.86
LOWE'S COMPANIES INC	143288	01/10/07	902114	1125-4238900		55.92	55.92
LS/OLDS CONSULTING LLC	143289	01/10/07	OTHER PROFESSIONAL FEES	902-4341999		12,250.00	12,250.00
M.K. BETTS ENGINEERING IN	143290	01/10/07	CONSTRUCTION - GRAVITY BE	654-R5023990	S09615	16,466.88	16,466.88
BRYAN MASON	143291	01/10/07	TUITION REIMBURSEMENT	1120-4128000		1,185.60	1,185.60

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MATHES ASSOC, INC	143292	01/10/07	LASERFICHE SUPPORT	1202-4351502	15637	11,454.00	11,454.00
MATTHEW BENDER	143293	01/10/07	LIBRARY REF MATERIALS	1110-4469000		173.50	173.50
BRIAN MAYO	143294	01/10/07	TUITION REIMBURSEMENT	1120-4128000		1,130.00	1,130.00
RYAN MCGEE	143295	01/10/07	TRAVEL FEES & EXPENSES	1046-4343000		78.77	78.77
MCMASTER CARR SUPPLY CO	143296	01/10/07	MATERIALS & SUPPLIES	651-5023990		25.58	25.58
MENARDS, INC	143297	01/10/07	MATERIALS & SUPPLIES	601-5023990		32.44	
MENARDS, INC	143297	01/10/07	MATERIALS & SUPPLIES	601-5023990		6.96	
MENARDS, INC	143297	01/10/07	OTHER MAINT SUPPLIES	2201-4238900		21.97	
MENARDS, INC	143297	01/10/07	MATERIALS & SUPPLIES	601-5023990		17.13	
MENARDS, INC	143297	01/10/07	BUILDING MATERIAL	2201-4235000		13.98	92.48
MERCURY ONE LTD	143298	01/10/07	OTHER EXPENSES	651-5023990		200.00	200.00
MERRELL BROS INC	143299	01/10/07	SLUDGE HAULING	651-5023990	S10394	14,707.17	14,707.17
MICHEL TIRES PLUS	143300	01/10/07	TIRES FOR CAR 111	1110-4232000	15828	225.00	225.00
MICRO AIR INC	143301	01/10/07	CONT SERVICES TESTING	601-5023990		1,152.00	
MICRO AIR INC	143301	01/10/07	CONT SERVICES TESTING	601-5023990		144.00	1,296.00
MID-AMERICA ELEVATOR INC	143302	01/10/07	ELEVATOR CONTRACT	1205-R4351501	16034	291.80	
MID-AMERICA ELEVATOR INC	143302	01/10/07	EQUIPMENT MAINT CONTRACTS	1110-4351501		145.89	437.69
MIDWEST TOXICOLOGY SVS,IN	143303	01/10/07	TESTING FEES	1201-4358800		55.00	55.00
MILESTONE CONTRACTORS, L	143304	01/10/07	PAVING	652-5023990	S10355	738.76	
MILESTONE CONTRACTORS, L	143304	01/10/07	PAVING	652-5023990	S10355	1,576.58	2,315.34
MILLER TRANSPORTATION INC	143305	01/10/07	BUS TRIPS	1041-R4343006	15563	695.00	695.00
MITTLER SUPPLY INC	143306	01/10/07	BOTTLED GAS	1120-4231100		14.29	
MITTLER SUPPLY INC	143306	01/10/07	BOTTLED GAS	1120-4231100		8.84	
MITTLER SUPPLY INC	143306	01/10/07	BOTTLED GAS	1120-4231100		26.99	50.12
JOHN R. MOLITOR	143307	01/10/07	LEGAL SERVICES	1192-R4340000	15221	2,500.00	2,500.00
PHYLLIS MORRISSEY	143308	01/10/07	OTHER PROFESSIONAL FEES	902-4341999		1,252.50	1,252.50
MULTIGUARD CORP	143309	01/10/07	CONT SERVICES OTHER	601-5023990		3,055.40	3,055.40
MURRAY & TRETTEL, INC	143310	01/10/07	SERVICE CONTRACT	2201-R4350900	1833	1,200.00	1,200.00
NATIONAL ACADEMY OF EMD	143311	01/10/07	CONT ED	1115-R4357004	14256	45.00	45.00
NATIONAL ARBOR DAY FOUNDA	143312	01/10/07	ORGANIZATION & MEMBER DUE	1192-4355300		15.00	15.00
NATIONAL FIRE PROTECTION	143313	01/10/07	SUBSCRIPTIONS	1120-4355200		697.50	697.50
NATIONAL INSTITUTE FOR FI	143314	01/10/07	PROGRAM FEES	1041-R4340800	15730	1,938.00	

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NATIONAL RIFLE ASSOCIATIO	143315	01/10/07	ORGANIZATION & MEMBER DUE	1110-4355300	70.00	1,938.00
NATIONAL TACTICAL OFFICER	143316	01/10/07	ORGANIZATION & MEMBER DUE	1110-4355300	150.00	70.00
NEENAH FOUNDRY CORP	143317	01/10/07	SEWER GRATES	206-R4237001	891.00	150.00
NEENAH FOUNDRY CORP	143317	01/10/07	SEWER GRATES	206-R4237001	891.00	
NEFF ENGINEERING COMPANY	143318	01/10/07	1050.96	601-5023990	144.79	1,782.00
NELSON ALARM COMPANY	143319	01/10/07	OTHER CONT SERVICES	2201-4350900	120.00	144.79
NELSON ALARM COMPANY	143319	01/10/07	BUILDING REPAIRS & MAINT	1115-4350100	338.25	
NELSON ALARM COMPANY	143319	01/10/07	ID SYSTEM	1205-R4353099	530.00	
NFRAME	143320	01/10/07	ISP SERVICES	1202-R4344200	179.00	988.25
NOBLESVILLE DAILY TIMES	143321	01/10/07	CT OFFICE	1701-4355200	77.00	179.00
NOBLESVILLE DAILY TIMES	143321	01/10/07	PUBLICATION OF LEGAL ADS	1125-4345500	55.33	
NOBLESVILLE DAILY TIMES	143321	01/10/07	PUBLICATION OF LEGAL ADS	1125-4345500	46.21	
NOBLESVILLE LANDFILL	143322	01/10/07	BUILDING REPAIRS & MAINT	2201-4350100	50.00	178.54
NUMARA SOFTWARE	143323	01/10/07	TRACK IT & DEPLOY IT	1202-R4463202	3,374.59	50.00
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	902-4230200	38.18	3,374.59
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	902-4230200	40.46	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	902-4230200	167.15	
OFFICE DEPOT INC	143326	01/10/07	CITY CENTER DRIVE	651-5023990	89.98	
OFFICE DEPOT INC	143326	01/10/07	7202.0	651-5023990	242.80	
OFFICE DEPOT INC	143326	01/10/07	MATERIALS & SUPPLIES	601-5023990	29.99	
OFFICE DEPOT INC	143326	01/10/07	6200.0	601-5023990	35.68	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1110-4230200	104.09	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1110-4230200	26.99	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1110-4230200	108.50	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1110-4230200	110.93	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1205-4230200	44.64	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1205-4230200	5.93	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	2200-4230200	70.14	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1120-4230200	26.96	
OFFICE DEPOT INC	143326	01/10/07	SMALL TOOLS & MINOR EQUIP	1115-4238000	57.59	
OFFICE DEPOT INC	143326	01/10/07	SMALL TOOLS & MINOR EQUIP	1115-4238000	57.59	
OFFICE DEPOT INC	143326	01/10/07	OTHER MISCELLANEOUS	1115-4239099	6.47	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1115-4230200	115.40	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1125-R4230200	77.68	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1115-4230200	195.69	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1125-R4230200	-62.99	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1301-4230200	29.86	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1301-4230200	16.80	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1301-4230200	7.37	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1301-4230200	367.50	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1301-4230200	62.99	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1301-4230200	372.02	
OFFICE DEPOT INC	143326	01/10/07	MISC SUPLIES	1160-R4230200	26.47	
OFFICE DEPOT INC	143326	01/10/07	MISC SUPLIES	1160-R4230200	24.28	

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OFFICE DEPOT INC	143326	01/10/07	MISC SUPLIES	1160-R4230200	7599	30.57	
OFFICE DEPOT INC	143326	01/10/07	MISC SUPLIES	1160-R4230200	7599	180.24	
OFFICE DEPOT INC	143326	01/10/07	MISC SUPLIES	1160-R4230200	7599	17.46	
OFFICE DEPOT INC	143326	01/10/07	MISC SUPLIES	1160-R4230200	7599	159.15	
OFFICE DEPOT INC	143326	01/10/07	SUPPLIES	601-5023990	W07215	655.56	
OFFICE DEPOT INC	143326	01/10/07	MATERIALS & SUPPLIES	601-5023990		37.79	
OFFICE DEPOT INC	143326	01/10/07	OTHER EXPENSES	601-5023990		54.85	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1125-R4230200	15562	272.69	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1125-R4230200	15562	54.34	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1125-R4230200	16051	21.76	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1125-R4230200	15750	213.89	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1125-R4230200	16000	44.62	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1125-R4230200	16000	84.78	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1125-R4230200	15750	149.83	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1192-R4230200	16114	21.66	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1192-R4230200	16114	169.56	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1192-R4230200	16114	44.52	
OFFICE DEPOT INC	143326	01/10/07	OFFICE SUPPLIES	1192-R4230200	16114	180.38	
OHIO PARKS & RECREATION A	143327	01/10/07	CLASSIFIED ADVERTISING	1047-4346000		100.00	4,890.79
OHIO PARKS & RECREATION A	143327	01/10/07	ORGANIZATION & MEMBER DUE	1125-4355300		121.00	
OLD TOWN ON THE MONON	143328	01/10/07	ARTS DISTRICT OFFICE	902-4460865		3,428.88	221.00
ON RAMP	143329	01/10/07	WEB PAGE FEES	1202-4355400		229.95	3,428.88
ORIENTAL TRADING COMPANY	143330	01/10/07	ESE SUPPLIES	1046-R4239038	15741	347.89	229.95
ORIENTAL TRADING COMPANY	143330	01/10/07	GENERAL PROGRAM SUPPLIES	1046-4239039		60.55	
ORIENTAL TRADING COMPANY	143330	01/10/07	ESE SUPPLIES	1046-R4239038	15741	55.41	
ORIENTAL TRADING COMPANY	143330	01/10/07	AWARDS & PRIZES	1046-4239038		68.84	
OVERHEAD DOOR CO OF INDIA	143331	01/10/07	BUILDING REPAIRS & MAINT	1110-4350100		363.20	532.69
OVERHEAD DOOR CO OF INDIA	143331	01/10/07	BUILDING REPAIRS & MAINT	1120-4350100		223.20	
PADDACK WRECKER SERVICE,	143332	01/10/07	TRANSPORTATION EXPENSE	651-5023990		68.00	586.40
PADDACK WRECKER SERVICE,	143332	01/10/07	OTHER CONT SERVICES	1120-4350900		185.00	
PARKSIDE ANIMAL HOSPITAL	143333	01/10/07	ANIMAL SERVICES	1110-4357600		38.00	253.00
PARKSIDE ANIMAL HOSPITAL	143333	01/10/07	ANIMAL SERVICES	1110-4357600		132.51	
THE PARTY TREE	143334	01/10/07	PROMOTIONAL FUNDS	1160-4355100		23.44	170.51
PAUL E SMITH CO, INC	143335	01/10/07	BUILDING REPAIRS & MAINT	1115-4350100		84.00	23.44
PAUL I. CRIPE, INC	143336	01/10/07	OTHER EXPENSES	919-5023990		250.00	84.00
THE PEAK GROUP, INC	143337	01/10/07	RENT	1110-4352500		2,750.00	250.00
THE PEAK GROUP, INC	143337	01/10/07	RENT	911-4352500		2,540.00	
THE PEAK GROUP, INC	143337	01/10/07	GAS	911-4349000		225.00	
THE PEAK GROUP, INC	143337	01/10/07	ELECTRICITY	911-4348000		275.00	
PEERLESS-MIDWEST, INC	143338	01/10/07	636.02	601-5023990		180.00	5,790.00
PEERLESS-MIDWEST, INC	143338	01/10/07	REPAIR WELL 6	601-5023990	W07212	15,550.00	
PEERLESS-MIDWEST, INC	143338	01/10/07	MOTOR	601-R5023990	W07198	600.00	

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PEERLESS-MIDWEST, INC	143338	01/10/07	REPAIR WELL 6	601-5023990	W07212	5,892.00	
							22,222.00
PENSKE CHEVROLET	143339	01/10/07	REPAIR PARTS	1110-4237000		53.05	
PENSKE CHEVROLET	143339	01/10/07	REPAIR PARTS	1110-4237000		210.86	
PENSKE CHEVROLET	143339	01/10/07	OTHER EXPENSES	651-5023990		-20.00	
PENSKE CHEVROLET	143339	01/10/07	REPAIR PARTS	2201-4237000		33.38	
PENSKE CHEVROLET	143339	01/10/07	TRANSPORTATION EXPENSE	651-5023990		220.38	
							497.67
PETIT HESS PETIT & SLACK	143340	01/10/07	1050.40	610-5023990		250.00	
							250.00
PETRO'S TIRE SALES	143341	01/10/07	AUTO REPAIR & MAINTENANCE	1120-4351000		12.88	
							12.88
PETTY CASH	143342	01/10/07	TRAVEL FEES & EXPENSES	1125-4343000		9.30	
PETTY CASH	143342	01/10/07	TRAVEL FEES & EXPENSES	1125-4343000		10.51	
							19.81
PITNEY BOWES	143343	01/10/07	POSTAGE METER	1110-4353003		177.00	
PITNEY BOWES	143343	01/10/07	POSTAGE METER	1110-4353003		32.25	
							209.25
PITNEY BOWES INC.	143344	01/10/07	POSTAGE METER	1120-4353003		52.09	
PITNEY BOWES INC.	143344	01/10/07	POSTAGE METER	902-4353003		231.00	
PITNEY BOWES INC.	143344	01/10/07	OTHER RENTAL & LEASES	1115-4353099		138.00	
PITNEY BOWES INC.	143344	01/10/07	POSTAGE METER	1192-4353003		171.00	
							592.09
EARLENE PLAVCHAK	143345	01/10/07	BZA PER DIEMS	1192-4343004		225.00	
							225.00
PLUM CREEK LANDSCAPE	143346	01/10/07	GROUNDS MAINTENANCE	2201-4350400		4,500.00	
							4,500.00
ALAN POTASNIK	143347	01/10/07	BZA PER DIEMS	1192-4343004		75.00	
							75.00
PRIMELIFE ENRICHMENT, INC	143348	01/10/07	RECYCLING	2201-R4350900	1843	1,666.66	
							1,666.66
PRIMUS ELECTRONICS	143349	01/10/07	1050.96	609-5023990		131.19	
							131.19
PUBLIC AGENCY TRNG COUNCI	143350	01/10/07	TRAINING	1110-R4357004	15821	225.00	
							225.00
QSP PRINTING INC	143351	01/10/07	STATIONARY & PRNTD MATERL	1192-4230100		12.00	
							12.00
R & T TIRE & AUTO - NOBLE	143352	01/10/07	TIRES & TUBES	1110-4232000		310.00	
R & T TIRE & AUTO - NOBLE	143352	01/10/07	TIRES	1110-R4232000	15822	650.00	
R & T TIRE & AUTO - NOBLE	143352	01/10/07	TIRES	1110-R4232000	15822	3,000.00	
							3,960.00
R M D/PATTI	143353	01/10/07	GENERAL INSURANCE	1701-4347500		938.00	
							938.00
R V HALLAM PLUMBING CO IN	143354	01/10/07	WATER MAIN @ RIVER HERITG	1125-R4350100	15755	1,239.87	
R V HALLAM PLUMBING CO IN	143354	01/10/07	REPAIRS	1125-4350100	16055	140.00	
R V HALLAM PLUMBING CO IN	143354	01/10/07	ORGANIZATION & MEMBER DUE	1125-4355300		112.50	
							1,492.37
R.A. ROSS & ASSOCIATES IN	143355	01/10/07	FILTER ELEMENT	651-R5023990	S10383	480.52	
							480.52
RAY'S TRASH SERVICE INC	143356	01/10/07	TRASH COLLECTION	1205-R4350101	14611	99.84	
RAY'S TRASH SERVICE INC	143356	01/10/07	TRASH COLLECTION	1120-4350101		348.18	
RAY'S TRASH SERVICE INC	143356	01/10/07	TRASH COLLECTION	1205-R4350101	14611	103.74	
RAY'S TRASH SERVICE INC	143356	01/10/07	BUILDING REPAIRS & MAINT	2201-4350100		109.20	
RAY'S TRASH SERVICE INC	143356	01/10/07	TRASH COLLECTION	1115-4350101		75.35	

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REAL MECHANICAL INC	143357	01/10/07	BUILDING REPAIRS & MAINT	1120-4350100	186.75	736.31
REAL MECHANICAL INC	143357	01/10/07	BUILDING REPAIRS & MAINT	1120-4350100	128.50	
RELIABLE FAB & MANUFACTUR	143358	01/10/07	REPAIR PARTS	2201-4237000	50.00	315.25
REPUBLIC WASTE SERVICES O	143359	01/10/07	CONT SERVICES OTHER	601-5023990	100.84	50.00
REPUBLIC WASTE SERVICES O	143359	01/10/07	TRASH COLLECTION	1110-4350101	46.26	
REPUBLIC WASTE SERVICES O	143359	01/10/07	736H.08XPENSES	651-5023990	164.56	
REPUBLIC WASTE SERVICES O	143359	01/10/07	OTHER CONT SERVICES	1125-4350900	355.04	
REPUBLIC WASTE SERVICES O	143359	01/10/07	CONT SVS-OTHER	651-5023990	351.40	
REPUBLIC WASTE SERVICES O	143359	01/10/07	CONT SERVICES OTHER	601-5023990	77.24	1,095.34
REYNOLDS FARM EQUIPMENT	143360	01/10/07	EQUIPMENT REPAIRS & MAINT	1125-4350000	358.92	
REYNOLDS FARM EQUIPMENT	143360	01/10/07	EQUIPMENT REPAIRS & MAINT	1125-4350000	67.00	425.92
RICK RIPMA	143361	01/10/07	BZA PER DIEMS	1192-4343004	75.00	75.00
RIVERVIEW HOSPITAL	143362	01/10/07	EXTERNAL INSTRUCT FEES	1046-4357004	13.00	
RIVERVIEW HOSPITAL	143362	01/10/07	EXTERNAL INSTRUCT FEES	1046-4357004	12.00	25.00
ROAD SOLUTIONS INC	143363	01/10/07	SALT & CALCIUM	2201-4236500	1,332.60	1,332.60
ROSEMOUNT INC	143364	01/10/07	OTHER EXPENSES	609-5023990	1,799.08	1,799.08
RUNYON EQUIPMENT RENTAL	143365	01/10/07	BOTTLED GAS	2201-4231100	59.95	
RUNYON EQUIPMENT RENTAL	143365	01/10/07	BOTTLED GAS	2201-4231100	24.52	
RUNYON EQUIPMENT RENTAL	143365	01/10/07	FESTIVAL/COMMUNITY EVENTS	902-4359003	263.73	
RUNYON EQUIPMENT RENTAL	143365	01/10/07	OTHER RENTAL & LEASES	2201-4353099	50.40	
RUNYON EQUIPMENT RENTAL	143365	01/10/07	BOTTLED GAS	2201-4231100	61.32	459.92
S & S CRAFTS WORLDWIDE IN	143366	01/10/07	GENERAL PROGRAM SUPPLIES	1046-4239039	71.99	
S & S CRAFTS WORLDWIDE IN	143366	01/10/07	SPORTS SUPPLIES	1046-4239036	913.26	
S & S CRAFTS WORLDWIDE IN	143366	01/10/07	GENERAL PROGRAM SUPPLIES	1046-4239039	174.02	
S & S CRAFTS WORLDWIDE IN	143366	01/10/07	ESE PROGRAM SUPPLIES	1046-R4239037	78.98	1,238.25
S G A CONSULTING LLC	143367	01/10/07	OTHER PROFESSIONAL FEES	902-4341999	6,250.00	6,250.00
S P G GRAPHICS INC	143368	01/10/07	STATIONARY & PRNTD MATERL	1192-4230100	499.00	499.00
SAME DAY COURIER SVS INC	143369	01/10/07	CONT SERVICES OTHER	601-5023990	56.70	56.70
SAME DAY COURIER SVS INC	143370	01/10/07	OTHER PROFESSIONAL FEES	1125-4341999	13.92	13.92
SCHMIDT ASSOCIATES INC	143371	01/10/07	OTHER EXPENSES	106-5023990	3,000.00	
SCHMIDT ASSOCIATES INC	143371	01/10/07	OTHER EXPENSES	106-5023990	6,851.84	9,851.84
SEEPEX INC	143372	01/10/07	REPAIR GRINDER HEAD	651-5023990	843.26	843.26
SERVICE PIPE & SUPPLY INC	143373	01/10/07	MATERIALS & SUPPLIES	651-5023990	178.98	178.98
SHADELAND FLOWER SHOP	143374	01/10/07	PROMOTIONAL FUNDS	1115-4355100	67.50	67.50
SHANK PUBLIC RELATNS COUN	143375	01/10/07	OTHER PROFESSIONAL FEES	1160-4341999	1,500.00	

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
						1,500.00
SHANNON SHERMAN	143376	01/10/07	TRAVEL FEES & EXPENSES	1046-4343000	79.44	79.44
SHOE CARNIVAL, INC	143377	01/10/07	UNIFORMS	1120-4356001	797.79	797.79
SHRED-IT	143378	01/10/07	TRASH COLLECTION	1110-4350101	80.00	80.00
SIEMENS WATER TECHNOLOGY	143379	01/10/07	J TRACK	654-5023990 S10356	2,140.00	2,140.00
SIGN A RAMA	143380	01/10/07	GATEWAY PYLONS	902-4460819	893.00	893.00
SILLY SAFARI SHOWS, INC	143381	01/10/07	PERFORMANCE	1046-R4341985 15783	250.00	250.00
SIMON AND COMPANY INC	143382	01/10/07	OTHER EXPENSES	601-5023990	1,096.29	
SIMON AND COMPANY INC	143382	01/10/07	OTHER EXPENSES	651-5023990	1,096.29	
						2,192.58
SKILLPATH	143383	01/10/07	EXTERNAL TRAINING TRAVEL	1160-4343002	200.00	200.00
SOUTHEASTERN SECURITY CON	143384	01/10/07	OTHER PROFESSIONAL FEES	1047-4341999	40.00	
SOUTHEASTERN SECURITY CON	143384	01/10/07	OTHER PROFESSIONAL FEES	1046-4341999	140.00	
						180.00
SPECTRA ENVIRONMENTAL GRO	143385	01/10/07	CONSULTING FEES	1192-4340400	1,356.30	1,356.30
ST VINCENT HOSPITAL	143386	01/10/07	SPECIAL DEPT SUPPLIES	102-4239011	1,343.00	1,343.00
STERLING FLUID SYSTEMS, L	143387	01/10/07	2308.00	604-5023990	144.86	
STERLING FLUID SYSTEMS, L	143387	01/10/07	PUMP REPLACEMENT	601-R5023990 W07183	3,500.00	
						3,644.86
ANDREA STUMPF	143388	01/10/07	OTHER MISCELLANOUS	902-4239099	56.60	
ANDREA STUMPF	143388	01/10/07	OTHER PROFESSIONAL FEES	902-4341999	3,275.00	
						3,331.60
SUNGARD PENTAMATION INC	143389	01/10/07	SOFTWARE SUPPORT FEES	1701-4341903	187.50	187.50
SUTTON-GARTEN	143390	01/10/07	OTHER EXPENSES	651-5023990	22.16	22.16
T & R TRAFFIC SERVICES	143391	01/10/07	PAINT PROGRAM	2201-R4350300 1815	25,548.68	25,548.68
TARGET BANK	143392	01/10/07	9-555-021-750	911-4239099	189.21	189.21
TARGET BANK	143393	01/10/07	AWARDS & PRIZES	1046-4239038	1,103.16	
TARGET BANK	143393	01/10/07	SPECIAL ACTIVITY SUPPLIES	1046-4239037	153.84	
TARGET BANK	143393	01/10/07	GENERAL PROGRAM SUPPLIES	1046-4239039	65.47	
TARGET BANK	143393	01/10/07	OFFICE SUPPLIES	1046-4230200	69.44	
TARGET BANK	143393	01/10/07	ART & CRAFT SUPPLIES	1046-4239035	56.21	
TARGET BANK	143393	01/10/07	GENERAL PROGRAM SUPPLIES	1046-4239039	490.08	
						1,938.20
TASER INTERNATIONAL	143394	01/10/07	AMMUNITIONS & ACCESSORIES	1110-4239010	350.00	350.00
TAYLOR OIL CO INC	143395	01/10/07	TRANSPORTATION EXPENSE	651-5023990	577.28	
TAYLOR OIL CO INC	143395	01/10/07	7202.6	651-5023990	63.79	
						641.07
TERMINIX PROCESSING CENTE	143396	01/10/07	BUILDING REPAIRS & MAINT	1110-4350100	79.00	79.00
TOM WOOD FORD INC	143397	01/10/07	TRANSPORTATION EXPENSE	601-5023990	77.45	

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
						77.45
MADELEINE TORRES	143398	01/10/07	BZA	1192-4343004	150.00	150.00
TOWERS FIRE APPARATUS, IN	143399	01/10/07	SAFETY ACCESSORIES	1120-4356003	243.00	243.00
TRACTOR SUPPLY CO	143400	01/10/07	6035301200050860	2201-4356001	358.71	358.71
TRACTOR SUPPLY CO	143401	01/10/07	6035301200182572	601-5023990	55.17	55.17
TRANSLATIONS INTERAMERICA	143402	01/10/07	TRANSLATION SERVICES	1301-R4341954	1,450.00	1,450.00
TRANSMISSION & FLUID EQUI	143403	01/10/07	SHEAR PIN	651-R5023990	662.94	
TRANSMISSION & FLUID EQUI	143403	01/10/07	MATERIALS & SUPPLIES	651-5023990	13.45	676.39
THE TRAVEL AGENT INC	143404	01/10/07	TRAINING SEMINARS	210-4357000	434.20	434.20
TRINITY WORKPLACE LEARNIN	143405	01/10/07	SUBSCRIPTIONS	1120-4355200	193.99	193.99
UPS	143406	01/10/07	CONT SVS-OTHER	651-5023990	22.04	
UPS	143406	01/10/07	CONT SERVICES OTHER	601-5023990	25.95	47.99
ULRICH CHEMICAL INC	143407	01/10/07	CHLORINE & SODIUM FLOURID	601-5023990	3,730.00	
ULRICH CHEMICAL INC	143407	01/10/07	CHLORINE & SODIUM FLOURID	601-5023990	-750.00	2,980.00
THE UNIFORM HOUSE, INC.	143408	01/10/07	UNIFORMS	1120-4356001	1,344.37	
THE UNIFORM HOUSE, INC.	143408	01/10/07	UNIFORM ACCESSORIES	1120-4356002	448.84	1,793.21
UNITED HEALTHCARE	143409	01/10/07	REFUND	102-5023990	307.17	307.17
UTILITY SUPPLY CO INC.	143410	01/10/07	MATERIALS & SUPPLIES	601-5023990	168.90	168.90
WEST GROUP PAYMENT CENTER	143411	01/10/07	LIBRARY REF MATERIALS	1301-4469000	258.00	258.00
WHITE OAK CONSTRUCTION	143412	01/10/07	BUILDING REPAIRS & MAINT	1110-4350100	150.00	150.00
WOOLPERT INC	143413	01/10/07	STORMWATER MAPPING	206-R4462838	10,365.00	10,365.00
YELLOW ROSE CARRIAGES	143414	01/10/07	FESTIVAL/COMMUNITY EVENTS	902-4359003	3,096.00	3,096.00
ZEE MEDICAL, INC.	143415	01/10/07	MATERIALS & SUPPLIES	651-5023990	38.41	
ZEE MEDICAL, INC.	143415	01/10/07	SAFETY SUPPLIES	1110-4239012	66.08	104.49
BRIGHT HOUSE NETWORK	143416	01/11/07	200203202-BROOKSHIRE	902-4344200	213.85	213.85
DUKE ENERGY	143417	01/11/07	29403299012	1115-R4348000	30.02	30.02
PAUL BLOCKOMS	143418	01/11/07	BROOKSHIRE	902-4350900	3,541.67	3,541.67
KENT BROACH	143419	01/11/07	BZA	1192-4343004	200.00	200.00
CARMEL CLAY CHAMBER OF CO	143420	01/11/07	TASTE OF CHAMBER	1160-4355100	150.00	150.00
CARMEL WELDING & SUPP INC	143421	01/11/07	REPAIR PARTS	2201-4237000	95.84	
CARMEL WELDING & SUPP INC	143421	01/11/07	REPAIR PARTS	2201-4237000	18.63	

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
CARMEL WELDING & SUPP INC	143421	01/11/07	REPAIR PARTS	2201-4237000	22.40	
CARMEL WELDING & SUPP INC	143421	01/11/07	OTHER EXPENSES	601-5023990	30.79	
CARMEL WELDING & SUPP INC	143421	01/11/07	EQUIPMENT UPGRADE	1205-R4463500	16032	4,700.00
CARMEL WELDING & SUPP INC	143421	01/11/07	GROUPS MAINT EQUIPMENT	1205-4463500		2,298.72
CARMEL WELDING & SUPP INC	143421	01/11/07	MISC REPAIRS	1205-R4463500	14608	1,369.32
CARMEL WELDING & SUPP INC	143421	01/11/07	GROUPS MAINT EQUIPMENT	1205-4463500		715.88
CARMEL WELDING & SUPP INC	143421	01/11/07	GROUPS MAINT EQUIPMENT	1205-4463500		64.95
CARMEL WELDING & SUPP INC	143421	01/11/07	GROUPS MAINT EQUIPMENT	1205-4463500		40.10
CARMEL WELDING & SUPP INC	143421	01/11/07	GROUPS MAINT EQUIPMENT	1205-4463500		31.90
CARMEL WELDING & SUPP INC	143421	01/11/07	GROUPS MAINT EQUIPMENT	1205-4463500		10.04
						9,398.57
CROWE COMMUNICAITONS INC	143422	01/11/07	DEC EXPENSES	1160-R4340400	7607	1,237.50
						1,237.50
EDDIE EDEDUWA	143423	01/11/07	BROOKSHIRE	902-4350900		880.00
						880.00
INDIANA PUBLIC EMPLOYERS	143424	01/11/07	WORKMEN'S COMPENSATION	1120-4347000		132,708.00
INDIANA PUBLIC EMPLOYERS	143424	01/11/07	WORKMEN'S COMPENSATION	1192-4347000		7,439.00
INDIANA PUBLIC EMPLOYERS	143424	01/11/07	WORKMEN'S COMPENSATION	1205-4347000		74,758.00
INDIANA PUBLIC EMPLOYERS	143424	01/11/07	WORKER'S COMPENSATION	651-5023990		29,884.00
INDIANA PUBLIC EMPLOYERS	143424	01/11/07	INSURANCE	1205-R4347500	15950	45,000.00
INDIANA PUBLIC EMPLOYERS	143424	01/11/07	WORKMEN'S COMPENSATION	1115-4347000		1,945.00
INDIANA PUBLIC EMPLOYERS	143424	01/11/07	WORKER'S COMPENSATION	601-5023990		31,531.00
						323,265.00
MISTER ICE OF INDIANAPOLI	143425	01/11/07	ICE MACHINE-BROOKSHIR	902-4353099		127.20
						127.20
RIVIERA HOTEL & CASINO	143426	01/11/07	SKJQ3-COLLINS	1115-4343002		748.80
RIVIERA HOTEL & CASINO	143426	01/11/07	HLJQ3-HEINZMAN	1115-4343002		748.80
						1,497.60
MARIO SALINAS	143427	01/11/07	BROOKSHIRE	902-4350900		710.00
						710.00
SHERATON GREENSBORO AT FO	143428	01/11/07	RES #1113101/GORDON	1115-4343002		473.55
						473.55
BETH BARRANGER	143429	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		20.00
						20.00
SHOLEH BIJANGI	143430	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		108.00
						108.00
NICHOLE BLEDSOE	143431	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		110.00
						110.00
KEVIN CLANCEY	143432	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		55.00
						55.00
TOM COCHRAN	143433	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		110.00
						110.00
SHARON COLE	143434	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		20.00
						20.00
DIANA CUNNINGHAM	143435	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		20.00
						20.00
SHANELLE CUNNINGHAM	143436	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		14.00
						14.00
SHARI DEOGRACIAS	143437	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		20.00
						20.00
SHARON EICKHOFF	143438	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		20.00
						20.00
JANE FARR	143439	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400		40.00
						40.00

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
STEVE FESHELBERGER	143440	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	52.00	52.00
PAMELA FRENZEL	143441	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	14.00	14.00
PATRICIA FROMKE	143442	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	55.00	55.00
LINDA GILMORE	143443	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	55.00	55.00
CHARLOTTE HOWARD	143444	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	14.00	14.00
CHARLENE KALLACH	143445	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	55.00	55.00
KATHERYN MALLER	143446	01/12/07	REFUNDS AWARDS & INDEMITY	1047-4358400	55.00	55.00
LORANNE MELLON	143447	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	20.00	20.00
LYNNE MILLER	143448	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	110.00	110.00
JERRI MITTMAN	143449	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	55.00	55.00
SUSAN NICKEL	143450	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	20.00	20.00
SUSAN ORR	143451	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	20.00	20.00
PEG PROUGH	143452	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	20.00	20.00
MANISHA RAMCHANDANI	143453	01/12/07	PARKS DEPARTMENT REFUND	1046-4358400	132.00	132.00
SUSAN TWER	143454	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	55.00	55.00
ERIN UBER	143455	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	14.00	14.00
MELANIE URBAN	143456	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	20.00	20.00
RACHEL WEIDEMAN	143457	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	55.00	55.00
STACEY WEMHOFF	143458	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	20.00	20.00
MAUREEN WROBLEWSKI	143459	01/12/07	PARKS DEPARTMENT REFUND	1047-4358400	40.00	40.00
BOWMAN, HEINTZ, BOSCIA &	143460	01/17/07	DED:150 GARN	101-2309	265.47	265.47
CINCINNATI LIFE	143461	01/17/07	DED:350 LIFE	101-2331	253.21	253.21
CITY OF CARMEL	143462	01/17/07	DED:301 LINCOLN	101-2329	16,583.87	16,583.87
CITY OF CARMEL	143463	01/17/07	DED:359 UNION DUES	101-2342	11.75	
CITY OF CARMEL	143463	01/17/07	DED:358 UNION DUES	101-2342	3,329.90	3,341.65
CITY OF CARMEL	143464	01/17/07	DED:357 FOP DUES	101-2343	474.15	474.15
CITY OF CARMEL	143465	01/17/07	DED:356 FOP PAC	101-2346	166.00	166.00
CITY OF CARMEL - PAYROLL	143466	01/17/07	DED:300 NATIONWIDE	101-2327	49,911.94	

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
CITY OF CARMEL - PAYROLL	143467	01/17/07	STATE & COUNTY TAXES DUE	101-2355	10,101.07	49,911.94
CITY OF CARMEL - PAYROLL	143467	01/17/07	DED:*SIN ST TAXES	101-2355	22.24	
CITY OF CARMEL - PAYROLL	143467	01/17/07	DED:*SIN ST TAXES	101-2355	35,657.80	
CITY OF CARMEL-CHILD SUPP	143468	01/17/07	DED:108 CHILD SUPP	101-2303	118.16	45,781.11
CITY OF CARMEL-CHILD SUPP	143468	01/17/07	DED:111 SUPPORT	101-2303	100.00	
CITY OF CARMEL-CHILD SUPP	143468	01/17/07	DED:105 SUPPORT	101-2303	90.00	
CITY OF CARMEL-CHILD SUPP	143468	01/17/07	DED:102 SUPPORT	101-2303	1,693.47	
CITY OF CARMEL-CHILD SUPP	143468	01/17/07	DED:109 CHILD SUPP	101-2303	254.00	
CITY OF CARMEL-CHILD SUPP	143468	01/17/07	DED:107 SUPPORT	101-2303	430.00	
CITY OF CARMEL-CHILD SUPP	143468	01/17/07	DED:101 SUPPORT	101-2303	7,057.08	
CITY OF CARMEL-PAYROLL AC	143469	01/17/07	DED:*FM MED TAXES	101-2350	20.08	9,742.71
CITY OF CARMEL-PAYROLL AC	143469	01/17/07	DED:*FT FED TAXES	101-2350	38.46	
CITY OF CARMEL-PAYROLL AC	143469	01/17/07	DED:*FI FICA TAXES	101-2350	118,218.24	
CITY OF CARMEL-PAYROLL AC	143469	01/17/07	DED:*FT FED TAXES	101-2350	132,435.24	
CITY OF CARMEL-PAYROLL AC	143469	01/17/07	DED:*FI FICA TAXES	101-2350	85.88	
CITY OF CARMEL-PAYROLL AC	143469	01/17/07	DED:*FM MED TAXES	101-2350	33,179.26	
CITY OF CARMEL-VALIC DEFE	143470	01/17/07	DED:306 VALIC-1408	101-2332	374.21	283,977.16
CITY OF CARMEL-VALIC DEFE	143470	01/17/07	DED:307 VALIC-1408	101-2332	1,681.32	
CITY OF CARMEL-VALIC DEFE	143470	01/17/07	DED:317 ING-CPD	101-2332	168.29	
CITY OF CARMEL-VALIC DEFE	143470	01/17/07	DED:302 VALIC	101-2332	26,561.55	
CITY OF CARMEL-VALIC DEFE	143470	01/17/07	DED:303 ING	101-2332	8,350.78	
SUSAN COY	143471	01/17/07	DED:104 SUPPORT	101-2304	350.00	37,136.15
FEDERAL RESERVE	143472	01/17/07	DED:355 SAV BONDS	101-2341	100.00	350.00
HARTFORD LIFE & ACCIDENT	143473	01/17/07	DED:351 AD&D	101-2333	49.96	100.00
MARION CTY SMALL CLAIMS C	143474	01/17/07	DED:153 GARN	101-2310	100.00	49.96
NATIONWIDE RETIREMENT SOL	143475	01/17/07	DED:310 NTNWD-CPD	101-2326	1,595.83	100.00
NATIONWIDE RETIREMENT SOL	143475	01/17/07	DED:311 NTNWD-CPD	101-2326	9,210.77	
OCS PC	143476	01/17/07	DED:110 CHILD SUP	101-2316	146.88	10,806.60
POLICE & FIRE INSURANCE	143477	01/17/07	DED:353 P&F INS	101-2337	2,068.16	146.88
TRANSAMERICA LIFE	143478	01/17/07	DED:354 TA LIFE	101-2339	216.48	2,068.16
UNITED WAY OF CENTRAL IND	143479	01/17/07	DED:352 UNITED WAY	101-2336	57.00	216.48
UNUM LIFE INSURANCE CO OF	143480	01/17/07	DED:203 LTD	101-2347	1,961.15	57.00
						1,961.15

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VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
TOTAL HAND WRITTEN CHECKS					2,341.40	
TOTAL COMPUTER-WRITTEN CHECKS					1,881,023.68	
TOTAL WRITTEN CHECKS			1,883,365.08			

I HEREBY CERTIFY THAT EACH OF THE ABOVE LISTED VOUCHERS AND INVOICES OR BILLS ATTACHED THERETO, ARE TRUE AND CORRECT AND I HAVE AUDITED SAME IN ACCORDANCE WITH IC 5-11-10-1.6.

CLERK TREASURER

WE HAVE EXAMINED THE CLAIMS LISTED ON THE FOREGOING ACCOUNTS PAYABLE VOUCHER REGISTER, CONSISTING OF 25 PAGES, AND EXCEPT FOR VOUCHERS NOT ALLOWED AS SHOWN ON THE REGISTER, SUCH VOUCHERS ARE ALLOWED IN THE TOTAL AMOUNT OF 1,883,365.08 DATED THIS _____ DAY OF _____, PASSED BY THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA BY A VOTE OF _____ AYES AND _____ NAYS.

PRESIDING OFFICER

COUNCIL PRESIDENT

ATTEST:

01/17/07

ACCOUNTS PAYABLE - CITY OF CARMEL

VENDOR NAME	CHECK NO	DATE	DESCRIPTION	KEY ORGAN-ACCOUNT P.O.	INVOICE AMT	CHECK AMT
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Sponsor: Councilor Mark Rattermann

ORDINANCE Z-501-07

**AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF CARMEL, INDIANA
ESTABLISHING
THE LEGACY
PLANNED UNIT DEVELOPMENT DISTRICT**

WHEREAS, Section 31.6.4 of the Carmel/Clay Zoning Ordinance Z-289 (the “Zoning Ordinance”), provides for the establishment of a Planned Unit Development District in accordance with the requirements of I.C. § 36-7-4-1500 et seq.; and

WHEREAS, the Plan Commission has given a positive recommendation to this PUD district ordinance (the “Legacy Ordinance”) which establishes the Legacy Planned Unit Development District (the “Legacy District”) with respect to the real estate legally described in what is attached hereto and incorporated herein by reference as Exhibit 1 (the “Real Estate”)

NOW, THEREFORE, BE IT ORDAINED by the Council, that (i) pursuant to IC §36-7-4-1500 *et seq.*, it adopts this Legacy Ordinance, as an amendment to the Zone Map, (ii) all prior ordinances or parts thereof inconsistent with any provision of this Legacy Ordinance and its exhibits are hereby inapplicable to the use and development of the Real Estate, (iii) all prior commitments and restrictions applicable to the Real Estate shall be null and void and replaced and superseded by this Legacy Ordinance, and (iv) this Legacy Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Section 1. Applicability of Ordinance.

Section 1.1 The Zone Map is hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the Legacy District.

Section 1.2 Development in the Legacy District shall be governed entirely by (i) the provisions of this Legacy Ordinance and its exhibits, and (ii) those provisions of the Zoning Ordinance specifically referenced in this Legacy Ordinance. In the event of a conflict or inconsistency between this Legacy Ordinance and the Zoning Ordinance, the provisions of this Legacy Ordinance shall apply.

Section 1.3 Any capitalized term not defined in Section 2 of this Legacy PUD shall have the meaning as set forth in the Zoning Ordinance in effect on the date of the enactment of this Legacy Ordinance.

1
2 **Section 2. Definitions and Rules of Construction.**
3

4 Section 2.1 General Rules of Construction. The following general rules of
5 construction and definitions shall apply to the regulations of this Legacy Ordinance:
6

- 7 A. The singular number includes the plural and the plural the singular, unless
8 the context clearly indicates the contrary.
9
10 B. Words used in the present tense include the past and future tenses, and the
11 future the present.
12
13 C. The word “shall” is a mandatory requirement. The word “may” is a
14 permissive requirement.
15

16 Section 2.2 Definitions. The following definitions shall apply throughout this Legacy
17 Ordinance:
18

19 Accessory Dwelling. A Dwelling which is detached from but located on the same
20 lot as a Detached Dwelling, has an independent means of access and is owned by
21 the owner of the principal dwelling.
22

23 Accessory Retail: Supporting retail which acts as a convenience for office uses.
24 Accessory retail must be integrated into buildings or sites that are of primarily
25 office use.
26

27 Accessory Structure: A structure which is subordinate to a Building or use
28 located on the Real Estate and which is not used for permanent human occupancy.
29

30 Accessory Use: A use subordinate to the main use, located on the real estate or in
31 the same Building as the main use, and incidental to the main use.
32

33 Aggregate Side Yard: The sum of the widths of the two (2) side yards located on
34 one (1) lot.
35

36 Alley: A private right-of-way or easement located in the interior of blocks and
37 providing vehicular and service access to the side or rear of properties.
38

39 Amenity Area: An area containing recreational facilities including, without
40 limitation, any one or a combination of the following: (i) a swimming pool, (ii) a
41 bath house with changing rooms and storage, (iii) recreational equipment, (iv)
42 tennis courts, (v) basketball courts, (vi) bocce ball courts, (vii) indoor and/or
43 outdoor workout areas, and (viii) any other recreational facilities approved by the
44 Director.
45

46 Apartment. A Dwelling intended primarily for rental.

1
2 Apartment House. A building containing more than one (1) Apartment placed
3 one on top of another and/or side by side, and sharing common walls and
4 common floors and ceilings.
5

6 Architectural Review Board. A board, established by the Declaration(s) of
7 Covenants, responsible for reviewing all improvements after the initial, original
8 construction of Buildings, Dwellings, and other improvements.
9

10 Attached Dwelling. Dwellings which are attached vertically or horizontally,
11 including Townhomes, flats, duplex, triplex, or quadruplex dwellings. Attached
12 Dwellings may be sold as condominiums or as individually deeded lots.
13 Apartments shall not be within the definition of Attached Dwellings and, as such,
14 all references in this Legacy Ordinance to Attached Dwellings shall exclude
15 Apartments.
16

17 Block(s): Any one or any combination of (i) the Suburban Residential Use Block,
18 (ii) the Neighborhood Residential Use Block, (iii) the Urban Residential Use
19 Block(s), (iv) the Primary Office Use Block, (v) the Village Core Use Block, (vi)
20 the Corner Use Block, and/or (vii) the Open Space Use Block(s). The size of
21 each and every Block may be enlarged or reduced by up to twenty percent (20%);
22 provided, however, that the Maximum Unit Limitations specified in Section 17
23 below shall remain unaffected.
24

25 Building: A structure having a roof supported by columns and walls, for the
26 shelter, support, enclosure or protection of persons, animals, chattel, or property.
27 Separate but attached units within a Building, separated by party walls, shall be
28 considered part of the same Building and not separate Buildings.
29

30 Building Height: The vertical distance from the lot ground level to the highest
31 point of the roof for a flat roof, to the deck line of a mansard roof and to the mean
32 height between eaves and ridges for gable, hip, and gambrel roofs.
33

34 BZA: The City's Board of Zoning Appeals
35

36 Commercial Building: Any Building, other than a CCRC Multi-Unit Building, in
37 which any commercial office or retail use exists, other than (i) a sales/rental office
38 for the sales and/or rental of Dwellings located in the Building in which the
39 sales/rental office exists and (ii) a home occupation.
40

41 Continuing Care: The provision of lodging, nursing, medical or other health
42 related services to an individual pursuant to an agreement effective for the life of
43 the individual or for a period greater than one year, evidenced by written
44 contracts, and in consideration for the payment of an entrance fee, with or without
45 other periodic charges.
46

1 Continuing Care Retirement Community: A place where continuing care is
2 provided to senior citizens and which may include support services and facilities,
3 including without limitation, (i) indoor recreation (including swimming pool,
4 solarium and lounges), (ii) physical therapy, (iii) entertainment rooms, (iv)
5 exercise rooms, (v) libraries, (vi) computer rooms, (vii) kitchen, food service, and
6 dining rooms, (viii) automatic teller machines, (ix) administrative offices, (x)
7 storage spaces, (xi) chapels, (xii) gift shops, (xiii) hair stylist/barber shops, and
8 (xiv) assisted living and/or nursing beds.
9

10 CCRC: An abbreviation for a Continuing Care Retirement Community
11

12 CCRC Cottage: A Detached Dwelling or an Attached Dwelling occupied by one
13 or more CCRC resident(s) which is part of the CCRC but is not part of the CCRC
14 Multi-Unit Building.
15

16 CCRC Multi-Unit Building: The primary CCRC Building containing multiple
17 apartment-style Attached Dwellings occupied by CCRC residents. A CCRC
18 Multi-Unit Building may also contain support services and facilities specified in
19 the above definition of a Continuing Care Retirement Community.
20

21 CCRC Resident: A senior citizen who is entitled by contract to receive
22 continuing care in a Continuing Care Retirement Community.
23

24 City: The City of Carmel, Indiana.
25

26 Commission: The Carmel Plan Commission.
27

28 Concept Plan: The Concept Plan attached hereto and incorporated herein by
29 reference as Exhibit 2 is conceptual and preliminary, only, and the final site
30 plan(s) may vary.
31

32 Controlling Developer: Shall mean East Carmel, LLC, until such time as East
33 Carmel, LLC transfers or assigns, in writing, its rights as Controlling Developer.
34 Such Rights may be transferred by the Controlling Developer, in its sole
35 discretion, in whole or in part. To transfer all or any portion of its rights as
36 Controlling Developer, East Carmel, LLC may (i) name each individual owner of
37 parcels within the Real Estate as Controlling Developer solely with respect to
38 such parcels owned by each such individual owner, (ii) establish a committee of
39 individual owners of the Real Estate within the Real Estate to act as Controlling
40 Developer with respect to such parcels owned by all such owners, or (iii) use
41 either method described in (i) and (ii) above with respect to different portions of
42 the Real Estate.
43

44 Corner Use Block: What is identified on the Concept Plan as the “Corner Use
45 Block”.
46

1 Council: The City Council of the City of Carmel, Indiana.

2
3 County: Hamilton County, Indiana.

4
5 Declaration(s) of Covenants: Declaration(s) of Covenants, Conditions and
6 Restrictions applicable to the Real Estate, or any portion thereof, which shall be
7 prepared and recorded by the Controlling Developer in the office of the Recorder
8 of Hamilton County, Indiana, and which may, from time to time, be amended.

9
10 Department. The Department of Community Services of the City of Carmel,
11 Indiana.

12
13 Detached Dwelling. A Dwelling that is not attached to another Dwelling and is
14 developed with no party-walls and with open yards on at least three sides.
15 Detached Dwellings comprise Larger Detached Dwellings and Smaller Detached
16 Dwellings. The term Detached Dwelling does not include manufactured homes,
17 mobile homes, modular homes or recreational or motor vehicles.

18
19 Development Requirements: Development standards and any requirements
20 specified in this Legacy Ordinance which must be satisfied in connection with the
21 approval of a Final Development Plan.

22
23 Director: Director, or Administrator, of the Department. “Director” and
24 “Administrator” shall include his/her authorized representatives.

25
26 Dwelling: A structure intended for occupancy by a single family. A Dwelling
27 includes a Detached Dwelling, an Attached Dwelling, an Apartment, an
28 Accessory Dwelling, a Loft, and a CCRC Cottage, and an Attached Dwelling
29 within the CCRC Multi-Unit Building.

30
31 Environmental Open Space: Open space which contains natural systems
32 (including manmade systems) that function to preserve the natural integrity of the
33 Legacy District. Such spaces include existing woodlands, bio-swales, restored
34 prairies, and naturalized detention ponds.

35
36 Final Development Plan: A specific plan for the development of the Real Estate,
37 or any portion thereof, which is submitted for approval showing proposed
38 facilities, buildings, and structures. Final Development Plans shall include
39 general landscaping, parking, drainage, erosion control, signage, lighting,
40 screening and building information for the site.

41
42 Flood Plain Law: Any and all laws, statutes, ordinances, rules, or regulations
43 governing the use and development of land within flood plains.

1 Larger Detached Dwellings: Dwellings complying with the standards specified
2 in Exhibit 7.

3
4 Loft. One or more rooms which are connected together and located above the 1st
5 floor of any building in the Urban Residential Use Block, Primary Office Use
6 Block, the Village Core Use Block, or the Corner Use Block and which (i) are
7 arranged, designed, used, and intended for use by one or more human beings
8 living together as a family and maintaining a common household for owner
9 occupancy, rental or lease on a weekly, monthly, or longer basis, and (ii) include
10 lawful cooking, eating, sleeping space, and sanitary facilities reserved solely for
11 occupants thereof. All Lofts shall be a minimum of seven hundred fifty (750)
12 square feet.

13
14 Masonry: Brick, stone, cultured stone, stucco, synthetic stucco, and/or EIFS.

15
16 Material Alteration: Any change to an approved plan of any type that involves
17 the substitution of one material, species, element, etc. for another.

18
19 Main Street: The segment of the street, shown on Exhibit 2 (the “Concept
20 Plan”) which extends north to south through the Village Core Use Block and is
21 located within the Village Core Use Block.

22
23 Minor Alteration: Any change to an approved plan of any type that involves the
24 revision of less than ten percent (10%) of the plan’s total area or approved
25 materials and can not include a decrease in the minimum open space or amenities,
26 elimination of required plantings, or an increase in the Maximum Unit Limitation
27 specified in Section 17 below.

28
29 Multi-Purpose Paths: A trail system which functions both as an alternative
30 transportation system and a linear park. This system is the primary pedestrian
31 access to all use areas and activity nodes. Local road sidewalks are not
32 considered part of this system, but do provide key access to network. This system
33 is paved and is similar in function to the Monon Trail and City’s path network.

34
35 Neighborhood Residential Use Block: What is identified on the Concept Plan as
36 the “Neighborhood Residential Use Block”.

37
38 Open Space: Open space shall comprise a parcel or parcels of land, an area of
39 water, or a combination of land and water, including flood plain and wetland
40 areas located within the Real Estate and designated by the Controlling Developer
41 for the use and enjoyment of some or all of the residents of the Legacy District
42 and, where designated by the Controlling Developer or in this Legacy Ordinance,
43 for the use and enjoyment of the community at large. Except as otherwise
44 provided herein, open space does not include any area which is divided into
45 building lots, streets (except the landscaped medians of boulevards) or rights of
46 way (except tree lawns). The area of parking facilities serving the activities in the

open space and paths or sidewalks located therein may be included in the required area computations.

Open Space Use Block: What is identified on the Concept Plan as “Open Space Use Block”.

Owners Association(s): Owners Association(s) established by the Declaration(s) of Covenants.

Parcel Coverage: The total ground area covered by buildings and accessory structures which are greater than eighteen (18) inches above grade level, excluding fences and walls not attached in any way to a roof, divided by the total horizontal ground area.

Perimeter Yard: The required side and rear yards of a project, situated between and extending along the side and rear project boundaries and an interior line paralleling thereto.

Primary Office Use Block: What is identified on the Concept Plan as the “Primary Office Use Block”.

Primary Roof: The roof on a Dwelling which has the longest ridge line.

Real Estate: The Real Estate legally described in Exhibit 1.

Recreational Open Space: Open Space that has been designed and designated for active use. Such spaces include trails, nature viewing areas, plazas, ball fields, accessible bodies of water for active use, dedicated trail networks, and playgrounds.

River Developable Parcel: A portion of the River Parcel east of and adjacent to River Road, comprising between eleven (11) and fifteen (15) acres, more or less, and not identified on the Concept Plan as “S1 (Carmel Zoning Ordinance)”. The size and configuration of the River Developable Parcel may vary from what is depicted on the Concept Plan.

River Parcel: That portion of the real estate located east of River Road, including approximately 95.82 acres, legally described in Exhibit 17, and comprising part of the Open Space and the River Developable Parcel.

Sign: Any type of sign as further defined and regulated by this Legacy Ordinance and the Sign Ordinance for Carmel-Clay Township, Ordinance Z-196, as amended.

Smaller Detached Dwellings: Dwellings complying with the standards specified in Exhibit 8.

1
2 Subdivision Control Ordinance: Carmel/Clay Subdivision Control Ordinance,
3 No. Z-160, as amended.
4

5 Suburban Residential Use Block: What is identified on the Concept Plan as
6 “Suburban Residential Use Block”.
7

8 Substantial Alteration: Any change to an approved plan of any type that involves
9 the revision of ten percent (10%) or more of the plan’s total area or approved
10 materials.
11

12 Townhome: A single family Attached Dwelling that is attached vertically and
13 provides for individual unit access. Units share party walls, but ownership can
14 include small yards.
15

16 Urban Residential Use Block: What is identified on the Concept Plan as the
17 “Urban Residential use Block”.
18

19 Village Core Use Block: What is identified on the Concept Plan as the “Village
20 Core Use Block”.
21

22 Village Supporting Commercial Use: A small neighborhood serving retail/office
23 use the primary clientele of which lives or works within close proximity of the
24 Legacy District. Each individual Village Supporting Commercial use shall not
25 occupy more than two thousand five hundred (2,500) square feet and must be
26 pedestrian oriented in design and accessibility. All parking shall be
27 accommodated in the rear, sides, and on-street. These uses can be detached, or
28 integrated within a mix of other uses.
29

30 Zone Map: The City’s official Zone Map corresponding to the Zoning Ordinance.
31

32 Zoning Ordinance: Carmel/Clay Zoning Ordinance Z-289, as amended from time
33 to time.
34

35 **Section 3. Accessory Buildings and Uses.** All Accessory Structures and Accessory Uses
36 allowed under the Zoning Ordinance shall be permitted in the Legacy District; provided,
37 however, that any detached accessory building shall have on all sides the same architectural
38 features or shall be architecturally compatible with the principal building(s) with which it is
39 associated.
40

41 **Section 4. Suburban Residential Use Block (s).** This Block is predominantly a suburban
42 setting of Detached Dwellings on larger lots. While this Block is primarily Detached Dwellings,
43 Attached Dwellings are permitted through special use review and approval by the BZA, and the
44 standards and character illustrations for Attached Dwellings in Exhibit 9 shall apply to all
45 Attached Dwellings approved by the BZA in Suburban Residential Use Block. No more than 4

Attached Dwellings shall be permitted per Building. Home-based business is permitted per the Zoning Ordinance.

Section 4.1 Permitted Uses are specified in the Exhibit 14 (Use Table).

Section 4.2 The applicable development and architectural standards are specified in Exhibit 7 (Larger Detached Dwellings) and Exhibit 9 (Attached Dwellings).

Section 4.3 The applicable character illustrations, indicating conceptually the intended architecture and appearance of Dwellings, are contained within Exhibit 7 (Larger Detached Dwellings) and Exhibit 9 (Attached Dwellings).

Section 5. Neighborhood Residential Block(s). This Block contains a mix of Detached Dwellings and Attached Dwellings. No more than 10 Dwellings attached vertically (i.e. Townhomes) shall be permitted per Building, and no more than 16 Dwellings attached horizontally (i.e. flats) shall be permitted per Building; provided, however, that subject to the Maximum Unit Limitations specified in Section 17 below, there shall be no limit on the number of CCRC Dwellings allowed in the CCRC Multi-Unit Building located wholly or partially within this Block. Home-based business is permitted as per the Zoning Ordinance.

Section 5.1 Permitted Uses are specified in the Exhibit 14 (Use Table).

Section 5.2 The applicable development and architectural standards are specified in Exhibit 7 (Larger Detached Dwellings), Exhibit 8 (Smaller Detached Dwellings), Exhibit 9 (Attached Dwellings), and Exhibit 12 (CCRC).

Section 5.3 The character illustrations, indicating conceptually the intended architecture and appearance of Dwellings, are contained within Exhibit 7 (Larger Detached Dwellings), Exhibit 8 (Smaller Detached Dwellings), Exhibit 9 (Attached Dwellings), and Exhibit 12 (CCRC).

Section 6. Urban Residential Use Block. This Block is a village setting of predominately Attached Dwellings and Apartments. No more than ten (10) Dwellings attached vertically (i.e. Townhomes) shall be permitted per Building, and no more than 16 Dwellings attached horizontally (i.e. flats) shall be permitted per Building; provided, however, that subject to the applicable Maximum Unit Limitations specified in Section 17 below, there shall be no limitations on (i) the number of Apartments per Apartment House and (ii) the number of CCRC Dwelling Units within the CCRC Multi-Unit Building located wholly or partially within this Block. While this Block is primarily residential in nature, Village Supporting Commercial Uses are permitted through special use review and approval by the BZA, and the standards and character illustrations in Exhibit 10 (Commercial Buildings) shall apply to any Village Supporting Commercial Uses located within this Block.

Section 6.1 Permitted Uses are specified in the Exhibit 14 (Use Table).

Section 6.2 The applicable development and architectural standards are specified in

Exhibit 8 (Smaller Detached Dwellings) and in Exhibit 9 (Attached Dwellings and Apartments), Exhibit 10 (Commercial Buildings), and Exhibit 12 (CCRC).

Section 6.3 The applicable character illustrations, indicating conceptually the intended architecture and appearance of Buildings and Dwellings, are in Exhibit 8 (Smaller Detached Dwellings), Exhibit 9 (Attached Dwellings and Apartments), Exhibit 10 (Commercial Buildings), and Exhibit 12 (CCRC).

Section 7. Primary Office Use Block. This Block serves primarily office uses. This Block serves as a transitional area to the adjacent Urban Residential Use Block, and permits a limited amount of residential and retail. Dwellings in this Block may be incorporated into commercial structures as Lofts. All retail must be Accessory Retail, and no more than twenty percent (20%) of all non-residential square footage of the Primary Office Use Block may be occupied by Accessory Retail uses. All such Accessory Retail shall comply with the standards and character exhibits in Exhibit 10 (Commercial Buildings).

Section 7.1 Permitted Uses, are specified in Exhibit 14 (Use table).

Section 7.2 The applicable development and architectural standards are specified in Exhibit 10 (Commercial Buildings) and Exhibit 12 (CCRC).

Section 7.3 The applicable character illustrations, indicating conceptually the intended architecture and appearance of Buildings, are contained within Exhibit 10 (Commercial Buildings) and Exhibit 12 (CCRC).

Section 7.4 All Buildings within this Block, other than Accessory Structures, shall have a minimum of two (2) occupiable floors.

Section 8. Village Core Use Block. The Village Core Use Block is the most intense activity node of the Legacy District. This Block comprises single story and multi-story buildings with a full mix of uses. The Village Core Use Block is primarily retail use on first floors of buildings along and adjacent to Main Street, and Lofts can be found on upper levels. No more than ten (10) Dwellings attached vertically (i.e. Townhomes) shall be permitted per Building, and no more than sixteen (16) Dwellings attached horizontally (i.e. flats) shall be permitted per Building; provided, however, that subject to the applicable Maximum unit Limitations specified to Section 17 below, there shall be no limitations on (i) the number of Apartments per Apartment House and (ii) the number of CCRC Dwelling Units within the CCRC Multi-Unit Building located wholly or partially within this Block. This Block shall be kept generally within its boundaries identified on the Concept Plan, and shall not be extended further east or west on 146th Street than as shown on the Concept Plan.

Section 8.1 The Permitted uses are specified in Exhibit 14 (Use Table).

Section 8.2 The applicable development and architectural standards are in Exhibit 10 (Commercial Buildings) Exhibit 8 (Smaller Detached Dwellings), Exhibit 9 (Attached Dwellings and Apartments), and Exhibit 12 (CCRC).

1
2 Section 8.3 The applicable character illustrations, indicating conceptually the
3 architecture and appearance of buildings, are contained in Exhibit 10 (Commercial
4 Buildings), Exhibit 8 (Smaller Detached Buildings), Exhibit 9 (Attached Dwellings and
5 Apartments), and Exhibit 12 (CCRC).
6

7 Section 8.4 A plaza shall be located on Main Street, in the general vicinity of the red
8 asterisk shown on the Open Space Plan. This area shall comprise a minimum of four
9 thousand (4,000) square feet, and shall be a central gathering place for performances,
10 festivals, and other outdoor events. The plaza will be distinguished by hardscaping,
11 central landscaping, and a fountain.
12

13 Section 8.5 Within the rectangular area, which extends one hundred (100) feet south
14 from 146th Street, along the center line of Main Street, and which is one hundred (100)
15 feet in width on either side (east and west) of the centerline of Main Street (such
16 rectangular area being referred to as the “Core Area”), all Buildings shall have a
17 minimum of two (2) occupiable floors. Along Main Street south of the Core Area in the
18 Village Core Use Block, Buildings flanking Main Street may vary between multiple
19 stories and one (1) story, so long as (i) no continuous stretch of one (1) story Buildings
20 exceeds thirty (30) percent of the length of the segment of Main Street within the Village
21 Core Use Block and (ii) the total lineal feet of the front of all one (1) story buildings
22 flanking Main Street is less than fifty (50) percent of the length of the segment of Main
23 Street within the Village Core Use Block. Multi-story buildings are encouraged around
24 the plaza described in Section 8.4 above.
25

26 Section 8.6 Buildings located on 146th Street, within one hundred (100) feet east or
27 west of the center line of Main Street, shall have at least two (2) occupiable floors, and
28 Buildings located on 146th Street, more than one hundred (100) feet east or west of the
29 centerline of Main Street, may be only one (1) story in height and may be located on
30 outlots.
31

32 Section 8.7 A rendering, illustrating the intended character of Main Street, is included
33 as Exhibit 18.
34

35 **Section 9. Corner Use Block.** This Block is located on the southwest corner of 146th Street
36 and River Road. No more than ten (10) Dwellings attached vertically (i.e. Townhomes) shall be
37 permitted per Building, no more than 16 Dwellings attached horizontally (i.e. flats) shall be
38 permitted per Building, and there is no limit on the number of Apartments per Apartment House.
39 provided, however, that subject to the applicable Maximum unit Limitations specified to Section
40 17 below, there shall be no limitations on (i) the number of Apartments per Apartment House
41 and (ii) the number of CCRC Dwelling Units within the CCRC Multi-Unit Building located
42 wholly or partially within this Block.
43

44 Section 9.1 Permitted Uses are specified in Exhibit 14 (Use Table).
45

1 Section 9.2 The applicable development and architectural standards are specified in
2 Exhibit 10 (Commercial Buildings) and Exhibit 9 (Attached Dwellings and Apartments)
3 and Exhibit 12 (CCRC).

4
5 Section 9.3 The applicable character illustrations, indicating conceptually the intended
6 architecture and appearance of Buildings, are contained in Exhibit 11 (Corner Use Block
7 Commercial), Exhibit 9 (Attached Dwellings and Apartments), and Exhibit 12 (CCRC).

8
9 **Section 10. Continuing Care Retirement Community.** The CCRC can be located anywhere
10 within the Legacy District, other than in the Suburban Residential Use Block; provided,
11 however, that no portion of the CCRC site may occupy more than 25% of the Village Core Use
12 Block.

13
14 Section 10.1 Permitted Uses are specified in the definition, in Section 2.2 above, of a
15 Continuing Care Retirement Community, and also in the Exhibit 14 (Use Table).

16
17 Section 10.2 The applicable development and architectural standards (i) for the CCRC
18 Multi-Unit Building are specified in Exhibit 12 (CCRC), (ii) and for the CCRC Cottages
19 are specified in Exhibit 8 (Smaller Detached Dwellings) and Exhibit 9 (Attached
20 Dwellings and Apartments).

21
22 Section 10.3 The applicable character illustrations, indicating conceptually the intended
23 architecture and appearance of (i) CCRC Multi-Unit Building are in Exhibit 12 and (ii)
24 the CCRC Cottages are in Exhibit 8 (Smaller Detached Dwellings) and (iii) Exhibit 9
25 (Attached Dwellings and Apartments).

26
27 Section 10.4 The CCRC site can range in size from 10 acres to 35 acres.

28
29 **Section 11. Open Space Use Block.** The Open Space Use Block is identified as the Concept
30 Plan. Within this Block, the following provisions apply:

31
32 Section 11.1 Open Space can be developed as Environmental Open Space, Recreational
33 Open Space, or a combination of both; provided, however, that any development of the
34 Open Space Block east of River Road shall include ball fields and shall be limited to
35 Recreational Open Space available for use by (i) the community at large and the general
36 public, and/or (ii) not-for-profit organizations, such as the Carmel Dad's Club, for youth
37 sports programs. There shall be accessible and usable open space with a 5 minute walk
38 (1/4 mile) from all Dwellings within the Legacy District.

39
40 Section 11.2 Not less than forty (40) percent of the Real Estate shall be allocated to and
41 shall remain in open space in perpetuity.

42
43 Section 11.3 The Developer may make improvements, such as the construction of an
44 amenity building, cutting of trails as depicted in Exhibit 3 (Bicycle and Pedestrian Plan),
45 the provision for picnic areas, removal of dead or diseased trees, thinning of trees or other
46 vegetation to encourage more desirable growth, and grading and seeding.

1
2 Section 11.4 Recreational buildings, structures, and improvements, such as pools,
3 clubhouses, picnic structures, ball fields, tennis courts, and playground equipment, not
4 prohibited by Flood Plain Laws, may be constructed in the Open Space Use Block.

5
6 Section 11.5 Storm water quality/quantity treatment may be constructed in the Open
7 Space Use Block and within the public rights-of-way.

8
9 Section 11.6 Trails shall be provided, where feasible, to link open space areas.
10 Sidewalks shall be a minimum of five (5) feet, pedestrian trails shall be a minimum of six
11 (6) feet wide, and Multi-Purpose Paths shall be a minimum of ten (10) feet wide.

12
13 Section 11.7 Bioswales and Open Space Character Illustrations are included in Exhibit
14 13. Only those segments of Bioswales which are at least twenty (20) feet in width shall
15 qualify as Open Space.

16
17 Section 11.8 Within this Block, approximately in the area indicated on the Open Space
18 Plan by a blue asterisk, an Amenity Area shall be developed. This Amenity Area shall
19 include one outdoor pool of a minimum size of one thousand eight hundred (1,800)
20 square feet, and shall also include a minimum of two (2) of the following selected by the
21 Controlling Developer:

- 22
23 A. A wading pool of at least two hundred (200) square feet;
24
25 B. A bath house with changing rooms and storage;
26
27 C. A playground with commercial grade play equipment;
28
29 D. One (1) lighted tennis court;
30
31 E. Two (2) half basketball courts;
32
33 F. Bocce ball courts;
34
35 G. An indoor workout area at least 1200 feet in size; and
36
37 H. Other amenities which are approved by the Director.

38
39 Section 11.9 Exhibit 4 conceptually illustrates areas of Open Space, and Exhibit 3
40 conceptually illustrates Multi-Purpose Paths, sidewalks and other pedestrian paths.

41
42
43
44 **Section 12. Environmental Systems, Drainage and Streets and Streetscapes**
45

1 Section 12.1 Low Impact Development (LID) techniques shall be permitted as an
2 environmental system to help attain water quality standards in conjunction with
3 development of the storm water conveyance plan for the Legacy District. Examples of
4 permitted systems include the use of bioswales, bioretention, rain gardens and/or
5 permeable pavers. The conceptual drainage ways for the Legacy District are
6 approximated on the Exhibit 5 (Environmental Systems Plan).
7

8 Section 12.2 Subject to approval by County Surveyor's Office, filling shall be allowed
9 within the floodplain areas (mapped Zone AE) of the Legacy District which are located
10 west of River Road and which have been isolated by previously approved developments
11 north of 146th Street.
12

13 Section 12.3 With respect to floodplain areas (mapped Zone AE) of the Legacy District
14 other than those described in 12.2 above, and subject to approval by County Surveyor's
15 Office, filling shall be allowed, provided that mitigated floodplain storage is provided at a
16 ratio of three (3) to one (1).
17

18 Section 12.4 Subject to approval by County Surveyor's Office, stormwater detained,
19 conveyed and/or stored within flood plain areas (mapped Zone AE) in the Legacy District
20 shall be exempted from discharge limits outlined in the City's Stormwater Technical
21 Standards Manual, provided that the net amount of existing floodplain storage in this area
22 is increased by an amount equal to or greater than the difference between the increase in
23 post-development total runoff volume and the pre-development contributing watershed.
24

25 Section 12.5 The drainage design for the Legacy District shall accommodate detention
26 volume for the fully developed site and for 50% of the fully developed thoroughfare plan
27 right-of-way for perimeter road frontages.
28

29 Section 12.6 The street layout (including rights-of-way, pavement widths, and design)
30 within the Legacy District shall be approximately as conceptually indicated on the
31 Exhibit 6 (Streets), adapted as appropriate to the topography, unique natural features, and
32 environmental constraints of the Legacy District; provided, however, that new curb and
33 median cuts to 146th Street, allowing the described layout, will require approval from the
34 County Highway Department, and may cause the described layout to change.
35

36 Section 12.7 Alleys shall be permitted based on the following standards:
37

- 38 A. An Alley shall be a perpetual easement or private way and shall not be
39 dedicated to the public.
40
41 B. Curbing is not required except at corners of intersections with other street
42 types. At such corner locations, curbing shall be required for the corner
43 radius ending at the intersection point of the radius and the path or
44 sidewalk paralleling the intersecting street. A concrete apron may serve as
45 point of termination for the curb.
46

1 C. Permeable Pavers may be used for pavement section of Alleys.

2
3 D. Utilities may be located within Alleys.

4
5 Section 12.8 All streets (excluding Alleys) within the Legacy District which are to be
6 dedicated for public use and accepted for maintenance by the City shall be constructed to
7 the standards of the City as applicable at the time of the enactment of this Legacy
8 Ordinance, for depth, materials, dimensions, and radii, unless specified otherwise in
9 Exhibit 6 or other parts of this Legacy Ordinance.

10
11 Section 12.9 With the approval of the Commission, streets within the Legacy District
12 may be private; provided, however, that the frontage road along 146th Street may, at the
13 Controlling Developer's election and discretion, be either a public street or a private
14 street.

15
16 Section 12.10 Exhibit 6 also contains illustrations of streets to be constructed within the
17 Legacy District.

18
19 Section 12.11 A conceptual rendering of the 146th Street frontage road view corridor,
20 adjacent to the Primary Office Use Block and Village Core Use Block, is included as
21 Exhibit 18. The street section of the frontage road along 146th Street is included in
22 Exhibit 6.

23
24 **Section 13. Landscaping Requirements.** The landscaping in the Legacy District shall be
25 designed to compliment the architecture of the Dwellings and Commercial Buildings. Street
26 trees, streetscape plantings, and buffer areas shall be used to bring natural elements to the design
27 pattern, in consultation with the City's Urban Forester.

28
29 Section 13.1. General Landscaping Standards. Landscaping shall be integrated with
30 other functional and ornamental site design elements, where appropriate, such as
31 hardscape materials, paths, sidewalks, fencing, or any water features.

32
33 A. Plantings along Buildings and streets should be designed with repetition,
34 structured patterns, and complementary textures and colors, and should
35 reinforce the overall character of the area. Alternate or pervious paving
36 material may be considered, or alternative planting media shall be
37 considered, for the urban areas where planting space is limited by
38 restrictions such as Buildings, asphalt or concrete paving, parking lots, etc.

39
40 B. All trees, shrubs and ground covers shall be planted according to American
41 Standard for Nursery Stock (ANSI Z60.1), and following the standards and
42 best management practices (BMPs) published by the Department's Urban
43 Forestry Section. Landscaping materials shall be appropriate to local
44 growing and climatic conditions. Plant suitability, maintenance and
45 compatibility with site construction features are critical factors that should

1 be considered.

2
3 C. Shade trees shall be at least 2.5 inches in caliper diameter when planted.
4 Ornamental trees shall be at least 1.5 inches caliper diameter when planted.
5 Evergreen trees shall be 6 feet in height when planted. Shrubs shall be at
6 least 18 inches in height when planted. Ornamental grasses shall obtain a
7 mature height of at least 3 feet.

8
9 D. The Controlling Developer shall conserve existing established trees
10 identified on Exhibit 5 (Environmental Systems Plan); provided, however,
11 that said trees may be removed under any of the following circumstances:

12
13 1. As is necessary to clear underbrush and dead trees;

14
15 2. As is necessary for the installation of access easements, right-of-way,
16 streets, paths, sidewalks, utilities and drainage improvements,
17 infrastructure; and

18
19 3. As is necessary for public health and safety as determined in cooperation
20 with the Urban Forester.

21
22 E. Existing vegetation may be used to achieve project landscaping requirements
23 if (a) the vegetation located on subject parcel is of suitable quality and
24 health, and (b) the vegetation is proposed to be preserved using accepted
25 best management practices for tree protection during construction.

26
27 Section 13.2. Perimeter Landscaping. Perimeter landscaping along the property lines
28 shall be provided in the form of (a) fifteen (15) foot greenbelt buffer in which street trees
29 are planted, for portions of the perimeter of the Real Estate abutting 146th Street, (b)
30 street trees for portions of the perimeter abutting other existing public right-of-way or
31 where a public right-of-way is created via a proposed frontage road other than adjacent to
32 146th Street, and (c) landscaping per the requirements of Type “B” Bufferyard (3 shade
33 trees, 3 ornamental trees, and 15 shrubs per 100 linear feet) for portions of the perimeter
34 not abutting a public right-of-way. For portions of the perimeter that abut 146th Street, the
35 required street trees may be grouped to allow view sheds into the Primary Office Use
36 Block, Village Core Use Block, and Corner Use Block, and these requirements may be
37 computed as an average across the total linear footage of frontage. Any street trees used
38 to meet perimeter landscape requirements shall meet all other standards provided in
39 Section 13.3 below. No bufferyards or landscaping internal to the Legacy District shall
40 be required between or within the seven (7) different Blocks of the Legacy District.

41
42 Section 13.3 Street Trees. Medium or large growing shade trees shall be planted
43 within the street right-of-way, parallel to each street, in planting strips or tree wells.
44 Street trees shall be planted a minimum of thirty (30) feet and a maximum of fifty (50)
45 feet on center. In areas of high pedestrian and commercial activity, tree wells shall be
46 covered with decorative grates or pavers in order to maximize uninterrupted pedestrian

1 pathways. Where ample passage area is provided, tree planting areas shall be treated as
2 planting beds to soften the hardscape. Street trees shall not be required along and
3 adjacent to Alleys.
4

5 A. Per City standards, no street trees shall be planted in conflict with drainage
6 or utility easements or structures, underground detention (unless so designed
7 for that purpose), or within traffic vision safety clearances. However, where
8 the logical location of proposed utilities would compromise the desired
9 effect, the Controlling Developer may solicit the aid of the City's Urban
10 Forester in mediating cost-effective solutions.
11

12 B. Street tree species shall be selected from the City's published list of
13 recommended street trees. Street trees shall be pruned to a height of eight
14 (8) feet minimum over sidewalks and twelve (12) feet minimum over
15 streets, to allow free passage along the sidewalk. In commercial and mixed-
16 use areas, street tree types and locations should allow for visibility of
17 businesses and business signage.
18

19 Section 13.4. Building Landscaping Standards Building base landscaping shall be
20 provided at the base of all Building elevations which do not directly abut planted
21 hardscapes, to soften the architectural lines of Buildings, frame the primary views to
22 Buildings and public spaces, and blend architectural designs with the landscape. Building
23 landscaping shall be designed to appropriately complement a Building's use, setback,
24 height, and architectural features. Window boxes for flowers and planters on front stoops
25 and sidewalks are encouraged in areas where landscaping cannot be installed at the base
26 of a Building due to the Building's proximity to a sidewalk, path, street, right-of-way or
27 easement. Building base landscaping may help fulfill bufferyard requirements where
28 applicable.
29

30 A. Within the Suburban Residential Use Block, building base landscaping for
31 each Detached Dwelling shall include a minimum of seven (7) shrubs and/or
32 ornamental grasses. Additionally, 2 shade trees and one ornamental tree
33 shall be planted for every Detached Dwelling. For Attached Dwellings, the
34 standards set forth below in 13.4 (C) shall apply.
35

36 B. Within the Neighborhood Residential Use Block, building base landscaping
37 adjacent to the front elevation of each Detached Dwelling shall include a
38 minimum of five (5) shrubs and/or ornamental grasses. Additionally, one
39 shade tree and one ornamental tree shall be planted for every unit. For
40 Attached Dwellings, the standards set forth below in 13.4 (C) shall apply.
41

42 C. Within the Urban Residential Use Block, building base landscaping adjacent
43 to the front elevation of each Building shall include a minimum of five (5)
44 shrubs and/or ornamental grasses, and one (1) shade tree and one (1)
45 ornamental tree shall be planted for every two (2) Townhomes. For all other
46 Attached Dwellings and Apartments, 3 shade trees, 3 ornamental trees, and

1 twenty-five (25) shrubs shall be planted per 100 linear feet of Building
2 frontage on right-of-way. Detached Dwellings shall have the same standards
3 as those for the Neighborhood Residential Use Block set forth in 13.4(B)
4 above. If the trees in this Block can not be planted between the Building
5 and the sidewalk, then an alternative location may be chosen for planting.
6 Landscaping interior courtyards are encouraged within larger blocks.
7

8 D. Within the Village Core and Primary Office use Block, building base
9 landscaping for each Building shall contain a minimum of two (2) shade
10 trees, one (1) ornamental tree, and nine (9) shrubs per one hundred (100)
11 linear feet of Building frontage on right-of-way. Shrubs, ornamental grasses,
12 or other alternate landscaping techniques may be used to fulfill the Building
13 base landscaping requirements, if approved by the Department. If Building
14 base landscaping cannot be installed due to a Building's proximity to a
15 sidewalk, path, street, right-of-way, or easement then landscaping may be
16 installed elsewhere on the site to fulfill the Building base landscaping
17 requirements. Appropriate alternate locations include, but are not limited to
18 interior courtyards, sidewalks (as additional street trees), parks, plazas,
19 parking lots, alleys, etc. In addition, where facades abut the public right-of-
20 way and/or sidewalks span the entire frontage, planting islands may be
21 created within the right-of-way, and street trees can help fulfill this
22 requirement.
23

24 E. Within the Corner Use Block, building base landscaping for each Building
25 shall contain three (3) shade trees, three (3) ornamental trees, and fifteen
26 (15) shrubs per one hundred (100) linear feet of Building frontage on right-
27 of-way.
28

29 F. Deciduous trees should be planted in locations to the south and west of
30 Building to allow for shade in summer months and greater sun exposure in
31 the winter months. Evergreen trees should be used as windbreaks to buffer
32 northwest winds. In all cases evergreen trees may substitute in lieu of
33 shrubbery, on a 1:3 basis (one conifer equals three shrubs).
34

35 Section 13.5. Parking Lot Plantings. Where parking lots are visible from the public
36 right-of-way, the following requirements will apply:
37

38 A. Lot interior. Minimum of one (1) shade tree per nine (9) parking spaces, with
39 a minimum of four hundred (400) square feet of useable soil volume being
40 provided for each two (2) trees;
41

42 B. Lot Perimeter. A minimum five foot (5') wide perimeter planting strip shall
43 be provided on all sides of a parking lot (except where parking spaces abut
44 curb-to-building sidewalk) including four (4) shade trees and twenty-five (25)
45 shrubs and/or ornamental grasses per one hundred (100) lineal feet of strip.
46 Walls or fences with a minimum height of forty-two inches (42") may be used

1 in lieu of planting. Perimeter planting may occupy the same space as a
2 required bufferyard but may not be counted towards Perimeter Bufferyard
3 Requirements.
4

5 Section 13.6. Maintenance It shall be the responsibility of the owners and their agents
6 to insure proper maintenance of project landscaping in accordance with the Legacy
7 Ordinance and best management practice standards. This is to include, but is not limited
8 to, mowing, tree trimming, planting, maintenance contracting, irrigation and mulching of
9 planting areas, replacing dead, diseased, or overgrown plantings with identical varieties
10 or a suitable substitute, and keeping the area free of refuse, debris, rank vegetation and
11 weeds.
12

13 **Section 14. Lighting.**

14

15 Section 14.1. Commercial Lighting. All site lighting within the Primary Office Use
16 Block, Village Core Use Block, and the Corner Use Block shall comply with the
17 standards of the Carmel Drive - Range Line Road Overlay Zone (Article 23F.12 of the
18 Zoning Ordinance). All fixtures shall be downcast fixtures/90 degree cutoff.
19

20 Section 14.2. Street lights shall be as depicted on Exhibit 15, and consistent throughout
21 the Real Estate.
22

23 Section 14.3. Street lights along all collector streets and within the Primary Office Use
24 Block, Village Core Use Block, and Corner Use Block, shall be provided at regular
25 intervals. Street lighting on residential streets shall be confined to the intersections and
26 corners.
27

28 Section 14.4. Lighting for permitted activities shall be permitted within the Open Space
29 Area.
30

31 Section 14.5. Lighting in the Village Core Use Block, the Primary Office Use Block, the
32 Corner Use Block, and parking lots shall be designed and maintained so that it is reduced
33 to the minimum amount reasonably required for security purposes during the hours that
34 retail establishments are not open for business.
35

36 **Section 15. Signs.**

37

38 Section 15.1. Residential Signs. Unless variances are granted by the BZA, signage
39 for all residential areas shall meet the requirements of Article 25.7 of the Zoning
40 Ordinance. Typical residential signs depicted on Exhibit 16, (Typical Residential Area
41 Signage). Illumination of any such signage shall be from a source external to such
42 signage.
43

44 Section 15.2. Commercial Signs. Unless variances are granted by the BZA, all signage
45 on Commercial Buildings shall meet the requirements of Section 25.7 of the Zoning
46 Ordinance. In addition, unless variances are granted by the BZA, signage for all

Commercial Buildings within the Urban Residential Use Block and the Village Core Use Block shall also comply with the signage provisions of Chapter 23F of the Zoning Ordinance entitled “Carmel Drive – Rangeline Road Overlay”; provided, however, that (i) monument, center identification signs later approved by the Plan Commission in connection with DP/ADLS approvals, shall be permitted on the corners of Main Street and 146th Street, and (ii) ground signs for Buildings on outlots permitted under Section 8.6 above are also allowed.

Section 15.3. Murals. Murals, painted on a wall of a Building, which are artistic in nature and do not contain trademarks, moving parts or lights, shall not constitute a wall sign and are permitted.

Section 16. Parking.

Section 16.1. Parking. The minimum number of parking spaces to be provided shall be computed as follows:

- A. One and one-half (1.5) spaces per Dwelling. The areas within driveways and garages shall count toward this requirement;
- B. Four (4) spaces per one thousand (1,000) square feet of retail floor space; and;
- C. Except as provided in Section 16.1(D) below, the rules set forth in Section 27.01 through 27.04 of the Zoning Ordinance shall apply in computing the number of required parking spaces, and in determining the location and construction thereof;
- D. Off-street parking areas for two (2) or more different uses may be provided collectively as one parking area so long as the total number of spaces provided is not less than the total of the minimum required spaces for each individual use. Combined parking shall be designed and constructed so as to create a desirable, efficient, and well planned off-street parking area with functional and aesthetic value, attractiveness and compatibility with adjacent land uses. Where it is established to the Department’s satisfaction that adjacent buildings have uses that require parking at complementary times of the day or days of the week, the total number of shared parking spaces provided shall be less than the total of the minimum number of spaces required for each individual use. In addition, on-street parking spaces may, if available and adjacent to the lot of the use, be counted as part of the total parking spaces required by this Section 16.1(D); and
- E. Bicycle parking shall be provided in compliance with Section 27.06 of the Zoning Ordinance.

1 Section 16.2. On-Street Parking. Each parking space shall be a minimum of eighteen
2 (18) feet in length.

3
4 Section 16.3. Loading and Service Areas.

- 5
6 A. Loading docks, solid waste facilities, recycling facilities, and other service
7 areas shall be placed to the rear or side of Buildings.
8
9 B. Screening and landscaping shall prevent direct views of the loading areas
10 and their driveways from adjacent properties or from the public right-of-
11 way. Screening and buffering shall be achieved through walls, fences, and
12 landscaping, shall be a minimum of five feet tall, and shall be visually
13 impervious. Recesses in the Building, or depressed access ramps may be
14 used.

15
16
17 **Section 17. Maximum Unit Limitations.**

18
19 Section 17.1 Primary Residential Density. The total number of Detached Dwellings,
20 Attached Dwellings, Apartments, and CCRC Cottages shall not exceed one thousand
21 three hundred forty-four (1,344), may occur in any combination subject only to the
22 limitations in Section 17.1(A) and Section 17.1(B) below, and are referred to in the chart
23 in Section 17.3 below as “Base Units”. With respect to Attached Dwellings and
24 Apartments, the following additional limitations shall apply:

- 25
26 A. Maximum Attached Dwellings. Without the approval of the Plan
27 Commission, there shall be no more than five hundred (500) Attached Dwellings;
28 and
29
30 B. Maximum Apartments. Without the approval of the Plan Commission, there
31 shall be no more than three hundred (300) Apartments.

32
33 Section 17.2. Ancillary Use Limitations. Lofts, Accessory Dwellings, Beds and
34 Breakfasts, and CCRC Dwellings located within CCRC Multi-Unit Building, are (i)
35 permitted within the Legacy District, but are not specifically planned for any particular
36 area of the Legacy District and are less intense and more ancillary in character, (ii) in
37 addition to and not counted toward the one thousand three hundred forty-four (1,344)
38 permitted Detached Dwellings, Attached Dwellings, Apartments, and CCRC Cottages,
39 and (iii) are referred to in the chart in Section 17.3 below as “Ancillary Units.” Without
40 the approval of the Commission, the number of (i) Lofts shall not exceed two hundred
41 (200), (ii) Accessory Dwellings shall not exceed thirty (30), (iii) beds and breakfasts shall
42 not exceed five (5), (iv) bed and breakfast rooms shall not exceed thirty (30), and (v)
43 CCRC Dwellings located within a CCC Multi-Unit Building may not exceed two
44 hundred twenty-five (225).
45

Section 17.3. Chart Summarizing Unit Limitations. The following chart summarizes the text of Section 17.1 and Section 17.2 above:

	With 100% of Base Units and no Ancillary Units	With 100% of Base Units and 100% of Ancillary Units
Base Units (See Section 17.1)	1,344	1,344
Ancillary Units (See Section 17.2):		
- Lofts (0 - 200)	0	200
- Accessory Dwellings (0 - 30)	0	30
- Beds and Breakfasts/Rooms	0	5/30
- CCRC Dwellings within CCRC Multi-Use Building (0 - 225)	0	225
TOTAL POSSIBLE DWELLINGS	1,344	1,829
TOTAL ACREAGE	498	498
DENSITIES	2.70	3.67

Section 18. Homeowners Association and Declaration of Covenants.

Section 18.1. Declaration(s) of Covenants and Owners Association(s). Declarations of Covenant(s) shall be prepared by the Controlling Developer and recorded with the Recorder of Hamilton County, Indiana. There may be multiple Declaration(s) of Covenants applicable to different portions of the Real Estate, and multiple corresponding Owners' Association(s). The Declaration(s) of Covenants shall establish an Architectural Review Board, which shall establish guidelines regarding the design and appearance of dwellings and, with respect to residential colors, shall provide that (i) selected colors must be harmonious with colors used on the Dwelling, such as roofing and brick, and must be harmonious with other colors used in the surrounding neighborhood, (ii) multiple colors are available on the color palette approved by the Architectural Review Board, which, from time to time, may be reviewed and updated.

Section 19. Approval Process.

Section 19.1. Approval or Denial of Plats and Final Development Plan.

- A. With respect to any portion of the Legacy District other than the areas on which lots are developed for Detached Dwellings, the platting into smaller sections shall be permitted, but shall not be required in order to divide the Real Estate into smaller areas for purposes of conveying title.
- B. Primary and secondary platting shall be required with respect to any portion of the Legacy District on which lots are developed for Detached Dwellings. All secondary plats for any portion of the Legacy District shall be approved administratively by the Department, and shall not require a public hearing before the Plan Commission, so long as the proposed

1 secondary plat substantially conforms with the corresponding approved
2 primary plat.
3

4 C. No DP/ADLS approval by the Commission shall be required with respect
5 to Detached Dwellings and their associated Accessory Dwellings,
6 Accessory Structures, landscaping, lighting, and signage, but all other
7 Buildings and associated parking, landscaping, lighting and signage shall
8 require DP/ADLS approval by the Commission.
9

10 D. If there is a Substantial Alteration in the approved DP/ADLS or primary
11 plat, review and approval of the amended plans shall be made by the
12 Commission, or a Committee thereof, pursuant to the Commission's rules
13 of procedure. Minor Alterations and Material Alterations may be
14 approved by the Director.
15

16 E. The Director shall have the sole and exclusive authority to approve
17 without conditions, approve with conditions, or disapprove the Final
18 Development Plans/Secondary Plats (collectively, the "FDP") for Legacy
19 District; provided, however, that the Director shall not unreasonably
20 withhold or delay the Director's approval of the FDP that is in substantial
21 conformance with corresponding approved development plan/primary plat
22 and is in conformance with the Development Requirements of this Legacy
23 Ordinance. If the Director disapproves any FDP, the Director shall set
24 forth in writing the basis for the disapproval and schedule the request for
25 approval of the FDP for a hearing before the full Plan Commission.
26

27 Section 19.2. Modification of Development Requirements.
28

29 A. The Commission may, upon petition of the Controlling Developer, modify
30 any requirements specified in this Legacy Ordinance.
31

32 B. Modification of the Development Requirements, requested by the
33 Construction Developer, may be approved by a hearing examiner or
34 committee designated by the Commission, after a public hearing held in
35 accordance with the Commission's Rules of Procedure. However, any
36 decision of a hearing examiner or committee which denies any requested
37 modification may be appealed by the party requesting approval to the
38 Commission, also in accordance with the Commission's Rules of
39 Procedure.
40

41 C. Any proposed modification of the Development Requirements shall
42 comply with the following guidelines:
43

44 1. The modification shall be in harmony with the purpose and intent
45 of this Legacy Ordinance.
46

- 1 2. The modification shall not have an adverse impact on the physical,
2 visual, or spatial characteristics of the Legacy District.
3
4 3. The modification shall not have an adverse impact on the
5 streetscape and neighborhood.
6
7 4. The modification shall not result in configurations of lots or street
8 systems which shall be unreasonable or detract materially from the
9 appearance of the Legacy District.
10
11 5. The minimum lot size of any lot to be created shall not be reduced
12 below the requirements of this Legacy Ordinance.
13
14 D. When applying the Development Requirements, the Commission shall
15 carefully weigh the specific circumstances surrounding the modification
16 petition and strive for development solutions that promote the spirit, intent
17 and purposes of this Legacy Ordinance.
18
19 E. If the Commission (acting through its hearing examiner or committee)
20 determines that the proposed modification will not have an adverse impact
21 on development in the Legacy District, it shall grant a modification of the
22 Development Requirements. In granting modifications, the Commission
23 may impose such conditions as will, in its reasonable judgment, secure the
24 objectives and purposes of this Legacy Ordinance.
25

26 **Section 20. Controlling Developer's Consent.** Without the written consent of the
27 Controlling Developer, no other developer, user, owner, or tenant may obtain any permits or
28 approvals, whatsoever, with respect to the Real Estate or any portion thereof and, as such, and by
29 way of example but not by limitation, none of the following may be obtained without the
30 approval and consent of the Controlling Developer:
31

- 32 A. Improvement location permits for any improvements within the Real
33 Estate;
34
35 B. Sign permits for any signs within the Real Estate;
36
37 C. Building permits for any buildings within the Real Estate;
38
39 D. DP/ADLS, or primary or secondary plat approval for any part of the Real
40 Estate; and
41
42 E. Any text amendments or other variations to the terms and conditions of
43 this Legacy Ordinance.
44

45 **Section 21. River Developable Parcel.** Notwithstanding anything in this Legacy Ordinance
46 to the contrary, the River Developable Parcel shall remain zoned S-1 (Residential) under the

1 Zoning Ordinance, and the use and development of the River Developable Parcel shall be
2 governed by the S-1 (Residential) classification of the Zoning Ordinance, and not by this Legacy
3 Ordinance.

4
5 **Section 22. Violations.** All violations of this Legacy Ordinance shall be subject to Section
6 34.0 of the Zoning Ordinance.

7
8
9
10 **PASSED** by the Common Council of the City of Carmel, Indiana this _____ day of
11 _____, 2007, by a vote of _____ ayes and _____ nays.
12
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1 **COMMON COUNCIL FOR THE CITY OF CARMEL**

2
3
4 _____
5 Presiding Officer

_____ Kevin Kirby

6
7 _____
8 Joseph C. Griffiths, President Pro Tempore

_____ Brian D. Mayo

9
10 _____
11 Ronald E. Carter

_____ Mark Rattermann

12
13 _____
14 Fredrick J. Glaser

_____ Richard L. Sharp

15 ATTEST:

16
17
18 _____
19 Diana L. Cordray, IAMC, Clerk Treasurer

20
21
22 Presented by me to the Mayor of the City of Carmel, Indiana the ____ day of
23 _____, 2007, at _____ o'clock ____M.

24
25
26
27 _____
28 Diana L. Cordray, IAMC, Clerk Treasurer

29 Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of
30 _____, 2007, at _____ o'clock ____M.

31
32
33
34 _____
35 James Brainard, Mayor

36 ATTEST:

37
38 _____
39 Diana L. Cordray, IAMC, Clerk Treasurer

40
41
42
43 This Instrument prepared by: Charles D. Frankenberger, NELSON & FRANKENBERGER,
44 3105 East 98th Street, Suite 170, Indianapolis, IN 46280 .
45
46
47

Sponsor: Councilor Mark Rattermann

CARMEL, INDIANA

The Legacy

PLANNED UNIT DEVELOPMENT DISTRICT

**ORDINANCE Z-501-07
AS AMENDED**

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Sponsor: **Councilor Mark Rattermann**

**ORDINANCE Z-501-07
AS AMENDED**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF CARMEL, INDIANA
ESTABLISHING
THE LEGACY
PLANNED UNIT DEVELOPMENT DISTRICT**

WHEREAS, Section 31.6.4 of the Carmel/Clay Zoning Ordinance Z-289 (the “Zoning Ordinance”), provides for the establishment of a Planned Unit Development District in accordance with the requirements of I.C. § 36-7-4-1500 *et seq.*; and

WHEREAS, the Plan Commission has given a positive recommendation to this PUD district ordinance (the “Legacy Ordinance”) which establishes the Legacy Planned Unit Development District (the “Legacy District”) with respect to the real estate legally described in what is attached hereto and incorporated herein by reference as Exhibit 1 (the “Real Estate”)

NOW, THEREFORE, BE IT ORDAINED by the Council, that (i) pursuant to IC §36-7-4-1500 *et seq.*, it adopts this Legacy Ordinance, as an amendment to the Zone Map, (ii) all prior ordinances or parts thereof inconsistent with any provision of this Legacy Ordinance and its exhibits are hereby inapplicable to the use and development of the Real Estate, (iii) all prior commitments and restrictions applicable to the Real Estate shall be null and void and replaced and superseded by this Legacy Ordinance, and (iv) this Legacy Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Section 1. Applicability of Ordinance.

Section 1.1 The Zone Map is hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the Legacy District.

Section 1.2 Development in the Legacy District shall be governed entirely by (i) the provisions of this Legacy Ordinance and its exhibits, and (ii) those provisions of the Zoning Ordinance specifically referenced in this Legacy Ordinance. In the event of a conflict or inconsistency between this Legacy Ordinance and the Zoning Ordinance, the provisions of this Legacy Ordinance shall apply.

Section 1.3 Any capitalized term not defined in Section 2 of this Legacy PUD shall have the meaning as set forth in the Zoning Ordinance in effect on the date of the enactment of this Legacy Ordinance.

Section 2. Definitions and Rules of Construction.

Section 2.1 General Rules of Construction. The following general rules of construction and definitions shall apply to the regulations of this Legacy Ordinance:

- A. The singular number includes the plural and the plural the singular, unless the context clearly indicates the contrary.
- B. Words used in the present tense include the past and future tenses, and the future the present.
- C. The word “shall” is a mandatory requirement. The word “may” is a permissive requirement.

Section 2.2 Definitions. The following definitions shall apply throughout this Legacy Ordinance:

Accessory Dwelling. A Dwelling which is detached from but located on the same lot as a Detached Dwelling, has an independent means of access and is owned by the owner of the principal dwelling.

Accessory Retail: Supporting retail which acts as a convenience for office uses. Accessory retail must be integrated into buildings or sites that are of primarily office use.

Accessory Structure: A structure which is subordinate to a Building or use located on the Real Estate and which is not used for permanent human occupancy.

Accessory Use: A use subordinate to the main use, located on the real estate or in the same Building as the main use, and incidental to the main use.

Aggregate Side Yard: The sum of the widths of the two (2) side yards located on one (1) lot.

Alley: A private right-of-way or easement located in the interior of blocks and providing vehicular and service access to the side or rear of properties.

Amenity Area: An area containing recreational facilities including, without limitation, any one or a combination of the following: (i) a swimming pool, (ii) a bath house with changing rooms and storage, (iii) recreational equipment, (iv) tennis courts, (v) basketball courts, (vi) bocce ball courts, (vii) indoor and/or outdoor workout areas, and (viii) any other recreational facilities approved by the Director.

Apartment. A Dwelling intended primarily for rental.

Apartment House. A building containing more than one (1) Apartment placed one on top of another and/or side by side, and sharing common walls and common floors and ceilings.

Architectural Review Board. A board, established by the Declaration(s) of Covenants, responsible for reviewing all improvements after the initial, original construction of Buildings, Dwellings, and other improvements.

Attached Dwelling. Dwellings which are attached vertically or horizontally, including Townhomes, flats, duplex, triplex, or quadruplex dwellings. Attached Dwellings may be sold as condominiums or as individually deeded lots. Apartments shall not be within the definition of Attached Dwellings and, as such, all references in this Legacy Ordinance to Attached Dwellings shall exclude Apartments.

Block(s): Any one or any combination of (i) the Suburban Residential Use Block, (ii) the Neighborhood Residential Use Block, (iii) the Urban Residential Use Block(s), (iv) the Primary Office Use Block, (v) the Village Core Use Block, (vi) the Corner Use Block, and/or (vii) the Open Space Use Block(s). The size of each and every Block may be enlarged or reduced by up to twenty percent (20%); provided, however, that the Maximum Unit Limitations specified in Section 17 below shall remain unaffected.

Building: A structure having a roof supported by columns and walls, for the shelter, support, enclosure or protection of persons, animals, chattel, or property. Separate but attached units within a Building, separated by party walls, shall be considered part of the same Building and not separate Buildings.

Building Height: The vertical distance from the lot ground level to the highest point of the roof for a flat roof, to the deck line of a mansard roof and to the mean height between eaves and ridges for gable, hip, and gambrel roofs.

BZA: The City's Board of Zoning Appeals

Commercial Building: Any Building, other than a CCRC Multi-Unit Building, in which any commercial office or retail use exists, other than (i) a sales/rental office for the sales and/or rental of Dwellings located in the Building in which the sales/rental office exists and (ii) a home occupation.

Continuing Care: The provision of lodging, nursing, medical or other health related services to an individual pursuant to an agreement effective for the life of the individual or for a period greater than one year, evidenced by written contracts, and in consideration for the payment of an entrance fee, with or without other periodic charges.

Continuing Care Retirement Community: A place where continuing care is provided to senior citizens and which may include support services and facilities, including without limitation, (i) indoor recreation (including swimming pool, solarium and lounges), (ii) physical therapy, (iii) entertainment rooms, (iv) exercise rooms, (v) libraries, (vi) computer rooms, (vii) kitchen, food service, and dining rooms, (viii) automatic teller machines, (ix) administrative offices, (x) storage spaces, (xi) chapels, (xii) gift shops, (xiii) hair stylist/barber shops, and (xiv) assisted living and/or nursing beds.

CCRC: An abbreviation for a Continuing Care Retirement Community

CCRC Cottage: A Detached Dwelling or an Attached Dwelling occupied by one or more CCRC resident(s) which is part of the CCRC but is not part of the CCRC Multi-Unit Building.

CCRC Multi-Unit Building: The primary CCRC Building containing multiple apartment-style Attached Dwellings occupied by CCRC residents. A CCRC Multi-Unit Building may also contain support services and facilities specified in the above definition of a Continuing Care Retirement Community.

CCRC Resident: A senior citizen who is entitled by contract to receive continuing care in a Continuing Care Retirement Community.

City: The City of Carmel, Indiana.

Commission: The Carmel Plan Commission.

Concept Plan: The Concept Plan attached hereto and incorporated herein by reference as Exhibit 2 is conceptual and preliminary, only, and the final site plan(s) may vary.

Controlling Developer: Shall mean East Carmel, LLC, until such time as East Carmel, LLC transfers or assigns, in writing, its rights as Controlling Developer. Such Rights may be transferred by the Controlling Developer, in its sole discretion, in whole or in part. To transfer all or any portion of its rights as Controlling Developer, East Carmel, LLC may (i) name each individual owner of parcels within the Real Estate as Controlling Developer solely with respect to such parcels owned by each such individual owner, (ii) establish a committee of individual owners of the Real Estate within the Real Estate to act as Controlling Developer with respect to such parcels owned by all such owners, or (iii) use either method described in (i) and (ii) above with respect to different portions of the Real Estate.

Corner Use Block: What is identified on the Concept Plan as the “Corner Use Block”.

Council: The City Council of the City of Carmel, Indiana.

County: Hamilton County, Indiana.

Declaration(s) of Covenants: Declaration(s) of Covenants, Conditions and Restrictions applicable to the Real Estate, or any portion thereof, which shall be prepared and recorded by the Controlling Developer in the office of the Recorder of Hamilton County, Indiana, and which may, from time to time, be amended.

Department. The Department of Community Services of the City of Carmel, Indiana.

Detached Dwelling. A Dwelling that is not attached to another Dwelling and is developed with no party-walls and with open yards on at least three sides. Detached Dwellings comprise Larger Detached Dwellings and Smaller Detached Dwellings. The term Detached Dwelling does not include manufactured homes, mobile homes, modular homes or recreational or motor vehicles.

Development Requirements: Development standards and any requirements specified in this Legacy Ordinance which must be satisfied in connection with the approval of a Final Development Plan.

Director: Director, or Administrator, of the Department. “Director” and “Administrator” shall include his/her authorized representatives.

Dwelling: A structure intended for occupancy by a single family. A Dwelling includes a Detached Dwelling, an Attached Dwelling, an Apartment, an Accessory Dwelling, a Loft, and a CCRC Cottage, and an Attached Dwelling within the CCRC Multi-Unit Building.

Environmental Open Space: Open space which contains natural systems (including manmade systems) that function to preserve the natural integrity of the Legacy District. Such spaces include existing woodlands, bio-swales, restored prairies, and naturalized detention ponds.

Final Development Plan: A specific plan for the development of the Real Estate, or any portion thereof, which is submitted for approval showing proposed facilities, buildings, and structures. Final Development Plans shall include general landscaping, parking, drainage, erosion control, signage, lighting, screening and building information for the site.

Flood Plain Law: Any and all laws, statutes, ordinances, rules, or regulations governing the use and development of land within flood plains.

Larger Detached Dwellings: Dwellings complying with the standards specified in Exhibit 7.

Loft. One or more rooms which are connected together and located above the 1st floor of any building in the Urban Residential Use Block, Primary Office Use Block, the Village Core Use Block, or the Corner Use Block and which (i) are arranged, designed, used, and intended for use by one or more human beings living together as a family and maintaining a common household for owner occupancy, rental or lease on a weekly, monthly, or longer basis, and (ii) include lawful cooking, eating, sleeping space, and sanitary facilities reserved solely for occupants thereof. All Lofts shall be a minimum of seven hundred fifty (750) square feet.

Masonry: Brick, stone, cultured stone, stucco, synthetic stucco, and/or EIFS.

Material Alteration: Any change to an approved plan of any type that involves the substitution of one material, species, element, etc. for another.

Main Street: The segment of the street, shown on Exhibit 2 (the “Concept Plan”) which extends north to south through the Village Core Use Block and is located within the Village Core Use Block.

Minor Alteration: Any change to an approved plan of any type that involves the revision of less than ten percent (10%) of the plan’s total area or approved materials and can not include a decrease in the minimum open space or amenities, elimination of required plantings, or an increase in the Maximum Unit Limitation specified in Section 17 below.

Multi-Purpose Paths: A trail system which functions both as an alternative transportation system and a linear park. This system is the primary pedestrian and bicycle access to all use areas and activity nodes. Local road sidewalks are not considered part of this system, but do provide key access to network. This system is paved and is similar in function to the Monon Trail and City’s path network.

Neighborhood Residential Use Block: What is identified on the Concept Plan as the “Neighborhood Residential Use Block”.

Open Space: Open space shall comprise a parcel or parcels of land, an area of water, or a combination of land and water, including flood plain and wetland areas located within the Real Estate and designated by the Controlling Developer for the use and enjoyment of some or all of the residents of the Legacy District and, where designated by the Controlling Developer or in this Legacy Ordinance, for the use and enjoyment of the community at large. Except as otherwise provided herein, open space does not include any area which is divided into building lots, streets (except the landscaped medians of boulevards) or rights of way (except tree lawns). The area of parking facilities serving the activities in the

open space and paths or sidewalks located therein may be included in the required area computations.

Open Space Use Block: What is identified on the Concept Plan as “Open Space Use Block”.

Owners Association(s): Owners Association(s) established by the Declaration(s) of Covenants.

Parcel Coverage: The total ground area covered by buildings and accessory structures which are greater than eighteen (18) inches above grade level, excluding fences and walls not attached in any way to a roof, divided by the total horizontal ground area.

Perimeter Yard: The required side and rear yards of a project, situated between and extending along the side and rear project boundaries and an interior line paralleling thereto.

Primary Office Use Block: What is identified on the Concept Plan as the “Primary Office Use Block”.

Primary Roof: The roof on a Dwelling which has the longest ridge line.

Real Estate: The Real Estate legally described in Exhibit 1.

Recreational Open Space: Open Space that has been designed and designated for active use. Such spaces include trails, nature viewing areas, plazas, ball fields, accessible bodies of water for active use, dedicated trail networks, and playgrounds.

River Developable Parcel: A portion of the River Parcel east of and adjacent to River Road, comprising between eleven (11) and fifteen (15) acres, more or less, and not identified on the Concept Plan as “S1 (Carmel Zoning Ordinance)”. The size and configuration of the River Developable Parcel may vary from what is depicted on the Concept Plan.

River Parcel: That portion of the real estate located east of River Road, including approximately 95.82 acres, legally described in Exhibit 17, and comprising part of the Open Space and the River Developable Parcel.

Sign: Any type of sign as further defined and regulated by this Legacy Ordinance and the Sign Ordinance for Carmel-Clay Township, Ordinance Z-196, as amended.

Smaller Detached Dwellings: Dwellings complying with the standards specified in Exhibit 8.

Subdivision Control Ordinance: Carmel/Clay Subdivision Control Ordinance, No. Z-160, as amended.

Suburban Residential Use Block: What is identified on the Concept Plan as “Suburban Residential Use Block”.

Substantial Alteration: Any change to an approved plan of any type that involves the revision of ten percent (10%) or more of the plan’s total area or approved materials.

Townhome: A single family Attached Dwelling that is attached vertically and provides for individual unit access. Units share party walls, but ownership can include small yards.

Urban Residential Use Block: What is identified on the Concept Plan as the “Urban Residential use Block”.

Village Core Use Block: What is identified on the Concept Plan as the “Village Core Use Block”.

Village Supporting Commercial Use: A small neighborhood serving retail/office use the primary clientele of which lives or works within close proximity of the Legacy District. Each individual Village Supporting Commercial use shall not occupy more than two thousand five hundred (2,500) square feet and must be pedestrian and bicycle oriented in design and accessibility. All parking shall be accommodated in the rear, sides, and on-street. These uses can be detached, or integrated within a mix of other uses.

Zone Map: The City’s official Zone Map corresponding to the Zoning Ordinance.

Zoning Ordinance: Carmel/Clay Zoning Ordinance Z-289, as amended from time to time.

Section 3. Accessory Buildings and Uses. All Accessory Structures and Accessory Uses allowed under the Zoning Ordinance shall be permitted in the Legacy District; provided, however, that any detached accessory building shall have on all sides the same architectural features or shall be architecturally compatible with the principal building(s) with which it is associated.

Section 4. Suburban Residential Use Block (s). This Block is predominantly a suburban setting of Detached Dwellings on larger lots. While this Block is primarily Detached Dwellings, Attached Dwellings are permitted through special use review and approval by the BZA, and the standards and character illustrations for Attached Dwellings in Exhibit 9 shall apply to all Attached Dwellings approved by the BZA in Suburban Residential Use Block. No more than 4

Attached Dwellings shall be permitted per Building. Home-based business is permitted per the Zoning Ordinance.

Section 4.1 Permitted Uses are specified in the Exhibit 14 (Use Table).

Section 4.2 The applicable development and architectural standards are specified in Exhibit 7 (Larger Detached Dwellings) and Exhibit 9 (Attached Dwellings).

Section 4.3 The applicable character illustrations, indicating conceptually the intended architecture and appearance of Dwellings, are contained within Exhibit 7 (Larger Detached Dwellings) and Exhibit 9 (Attached Dwellings).

Section 5. Neighborhood Residential Block(s). This Block contains a mix of Detached Dwellings and Attached Dwellings. No more than 10 Dwellings attached vertically (i.e. Townhomes) shall be permitted per Building, and no more than 16 Dwellings attached horizontally (i.e. flats) shall be permitted per Building; provided, however, that subject to the Maximum Unit Limitations specified in Section 17 below, there shall be no limit on the number of CCRC Dwellings allowed in the CCRC Multi-Unit Building located wholly or partially within this Block. Home-based business is permitted as per the Zoning Ordinance.

Section 5.1 Permitted Uses are specified in the Exhibit 14 (Use Table).

Section 5.2 The applicable development and architectural standards are specified in Exhibit 7 (Larger Detached Dwellings), Exhibit 8 (Smaller Detached Dwellings), Exhibit 9 (Attached Dwellings), and Exhibit 12 (CCRC).

Section 5.3 The character illustrations, indicating conceptually the intended architecture and appearance of Dwellings, are contained within Exhibit 7 (Larger Detached Dwellings), Exhibit 8 (Smaller Detached Dwellings), Exhibit 9 (Attached Dwellings), and Exhibit 12 (CCRC).

Section 6. Urban Residential Use Block. This Block is a village setting of predominately Attached Dwellings and Apartments. No more than ten (10) Dwellings attached vertically (i.e. Townhomes) shall be permitted per Building, and no more than 16 Dwellings attached horizontally (i.e. flats) shall be permitted per Building; provided, however, that subject to the applicable Maximum Unit Limitations specified in Section 17 below, there shall be no limitations on (i) the number of Apartments per Apartment House and (ii) the number of CCRC Dwelling Units within the CCRC Multi-Unit Building located wholly or partially within this Block. While this Block is primarily residential in nature, Village Supporting Commercial Uses are permitted through special use review and approval by the BZA, and the standards and character illustrations in Exhibit 10 (Commercial Buildings) shall apply to any Village Supporting Commercial Uses located within this Block.

Section 6.1 Permitted Uses are specified in the Exhibit 14 (Use Table).

Section 6.2 The applicable development and architectural standards are specified in

Exhibit 8 (Smaller Detached Dwellings) and in Exhibit 9 (Attached Dwellings and Apartments), Exhibit 10 (Commercial Buildings), and Exhibit 12 (CCRC).

Section 6.3 The applicable character illustrations, indicating conceptually the intended architecture and appearance of Buildings and Dwellings, are in Exhibit 8 (Smaller Detached Dwellings), Exhibit 9 (Attached Dwellings and Apartments), Exhibit 10 (Commercial Buildings), and Exhibit 12 (CCRC).

Section 7. Primary Office Use Block. This Block serves primarily office uses. This Block serves as a transitional area to the adjacent Urban Residential Use Block, and permits a limited amount of residential and retail. Dwellings in this Block may be incorporated into commercial structures as Lofts. All retail must be Accessory Retail, and no more than twenty percent (20%) of all non-residential square footage of the Primary Office Use Block may be occupied by Accessory Retail uses. All such Accessory Retail shall comply with the standards and character exhibits in Exhibit 10 (Commercial Buildings).

Section 7.1 Permitted Uses, are specified in Exhibit 14 (Use table).

Section 7.2 The applicable development and architectural standards are specified in Exhibit 10 (Commercial Buildings) and Exhibit 12 (CCRC).

Section 7.3 The applicable character illustrations, indicating conceptually the intended architecture and appearance of Buildings, are contained within Exhibit 10 (Commercial Buildings) and Exhibit 12 (CCRC).

Section 7.4 All Buildings within this Block, other than Accessory Structures, shall have a minimum of two (2) occupiable floors.

Section 7.5 In the Primary Office Use Block there shall be no more than two (2) rows of parking spaces between 146th Street and Buildings along 146th Street.

Section 8. Village Core Use Block. The Village Core Use Block is the most intense activity node of the Legacy District. This Block comprises single story and multi-story buildings with a full mix of uses. The Village Core Use Block is primarily retail use on first floors of buildings along and adjacent to Main Street, and Lofts can be found on upper levels. No more than ten (10) Dwellings attached vertically (i.e. Townhomes) shall be permitted per Building, and no more than sixteen (16) Dwellings attached horizontally (i.e. flats) shall be permitted per Building; provided, however, that subject to the applicable Maximum unit Limitations specified to Section 17 below, there shall be no limitations on (i) the number of Apartments per Apartment House and (ii) the number of CCRC Dwelling Units within the CCRC Multi-Unit Building located wholly or partially within this Block. This Block shall be kept generally within its boundaries identified on the Concept Plan, and shall not be extended further east or west on 146th Street than as shown on the Concept Plan.

Section 8.1 The Permitted uses are specified in Exhibit 14 (Use Table).

Section 8.2 The applicable development and architectural standards are in Exhibit 10 (Commercial Buildings) Exhibit 8 (Smaller Detached Dwellings), Exhibit 9 (Attached Dwellings and Apartments), and Exhibit 12 (CCRC).

Section 8.3 The applicable character illustrations, indicating conceptually the architecture and appearance of buildings, are contained in Exhibit 10 (Commercial Buildings), Exhibit 8 (Smaller Detached Buildings), Exhibit 9 (Attached Dwellings and Apartments), and Exhibit 12 (CCRC).

Section 8.4 A plaza shall be located on Main Street, in the general vicinity of the red asterisk shown on the Open Space Plan. This area shall comprise a minimum of four thousand (4,000) square feet, and shall be a central gathering place for performances, festivals, and other outdoor events. The plaza will be distinguished by hardscaping, central landscaping, and a fountain.

Section 8.5 Within the rectangular area, which extends one hundred (100) feet south from 146th Street, along the center line of Main Street, and which is one hundred (100) feet in width on either side (east and west) of the centerline of Main Street (such rectangular area being referred to as the “Core Area”), all Buildings shall have a minimum of two (2) occupiable floors. Along Main Street south of the Core Area in the Village Core Use Block, Buildings flanking Main Street may vary between multiple stories and one (1) story, so long as (i) no continuous stretch of one (1) story Buildings exceeds thirty (30) percent of the length of the segment of Main Street within the Village Core Use Block and (ii) the total lineal feet of the front of all one (1) story buildings flanking Main Street is less than fifty (50) percent of the length of the segment of Main Street within the Village Core Use Block. Multi-story buildings are encouraged around the plaza described in Section 8.4 above.

Section 8.6 Buildings located on 146th Street, within one hundred (100) feet east or west of the center line of Main Street, shall have at least two (2) occupiable floors, and Buildings located on 146th Street, more than one hundred (100) feet east or west of the centerline of Main Street, may be only one (1) story in height.

Section 8.7 A rendering, illustrating the intended character of Main Street, is included as Exhibit 18.

Section 8.8 In the Village Core Use Block there shall be no more than two (2) rows of parking spaces between 146th Street and Buildings along 146th Street.

Section 9. Corner Use Block. This Block is located on the southwest corner of 146th Street and River Road. No more than ten (10) Dwellings attached vertically (i.e. Townhomes) shall be permitted per Building, no more than 16 Dwellings attached horizontally (i.e. flats) shall be permitted per Building, and there is no limit on the number of Apartments per Apartment House, provided, however, that subject to the applicable Maximum unit Limitations specified to Section 17 below, there shall be no limitations on (i) the number of Apartments per Apartment House and (ii) the number of CCRC Dwelling Units within the CCRC Multi-Unit Building located wholly or partially within this Block.

Section 9.1 Permitted Uses are specified in Exhibit 14 (Use Table).

Section 9.2 The applicable development and architectural standards are specified in Exhibit 10 (Commercial Buildings) and Exhibit 9 (Attached Dwellings and Apartments) and Exhibit 12 (CCRC).

Section 9.3 The applicable character illustrations, indicating conceptually the intended architecture and appearance of Buildings, are contained in Exhibit 11 (Corner Use Block Commercial), Exhibit 9 (Attached Dwellings and Apartments), and Exhibit 12 (CCRC).

Section 10. Continuing Care Retirement Community. The CCRC can be located anywhere within the Legacy District, other than in the Suburban Residential Use Block; provided, however, that no portion of the CCRC site may occupy more than 25% of the Village Core Use Block.

Section 10.1 Permitted Uses are specified in the definition, in Section 2.2 above, of a Continuing Care Retirement Community, and also in the Exhibit 14 (Use Table).

Section 10.2 The applicable development and architectural standards (i) for the CCRC Multi-Unit Building are specified in Exhibit 12 (CCRC), (ii) and for the CCRC Cottages are specified in Exhibit 8 (Smaller Detached Dwellings) and Exhibit 9 (Attached Dwellings and Apartments).

Section 10.3 The applicable character illustrations, indicating conceptually the intended architecture and appearance of (i) CCRC Multi-Unit Building are in Exhibit 12 and (ii) the CCRC Cottages are in Exhibit 8 (Smaller Detached Dwellings) and (iii) Exhibit 9 (Attached Dwellings and Apartments).

Section 10.4 The CCRC site can range in size from 10 acres to 35 acres.

Section 11. Open Space Use Block. The Open Space Use Block is identified as the Concept Plan. Within this Block, the following provisions apply:

Section 11.1 Open Space can be developed as Environmental Open Space, Recreational Open Space, or a combination of both; provided, however, that any development of the Open Space Block east of River Road shall include ball fields and shall be limited to Recreational Open Space available for use by (i) the community at large and the general public, and/or (ii) not-for-profit organizations, such as the Carmel Dad's Club, for youth sports programs. Parking shall be provided in Open Space areas as required by the Zoning Ordinance. There shall be accessible and usable open space with a 5 minute walk (1/4 mile) from all Dwellings within the Legacy District.

Section 11.2 Not less than forty (40) percent of the Real Estate shall be allocated to and shall remain in open space in perpetuity.

Section 11.3 The Developer may make improvements, such as the construction of an amenity building, cutting of trails as depicted in Exhibit 3 (Bicycle and Pedestrian Plan), the provision for picnic areas, removal of dead or diseased trees, thinning of trees or other vegetation to encourage more desirable growth, and grading and seeding.

Section 11.4 Recreational buildings, structures, and improvements, such as pools, clubhouses, picnic structures, ball fields, tennis courts, and playground equipment, not prohibited by Flood Plain Laws, may be constructed in the Open Space Use Block.

Section 11.5 Storm water quality/quantity treatment may be constructed in the Open Space Use Block and within the public rights-of-way.

Section 11.6 Trails shall be provided, where feasible, to link open space areas. Sidewalks shall be a minimum of five (5) feet, pedestrian trails shall be a minimum of six (6) feet wide, and Multi-Purpose Paths shall be a minimum of ten (10) feet wide.

Section 11.7 Bioswales and Open Space Character Illustrations are included in Exhibit 13. Only those segments of Bioswales which are at least twenty (20) feet in width shall qualify as Open Space.

Section 11.8 Within this Block, approximately in the area indicated on the Open Space Plan by a blue asterisk, an Amenity Area shall be developed. This Amenity Area shall include one outdoor pool of a minimum size of one thousand eight hundred (1,800) square feet, and shall also include a minimum of two (2) of the following selected by the Controlling Developer:

- A. A wading pool of at least two hundred (200) square feet;
- B. A bath house with changing rooms and storage;
- C. A playground with commercial grade play equipment;
- D. One (1) lighted tennis court;
- E. Two (2) half basketball courts;
- F. Bocce ball courts;
- G. An indoor workout area at least 1200 feet in size; and
- H. Other amenities which are approved by the Director.

Section 11.9 Exhibit 4 conceptually illustrates areas of Open Space, and Exhibit 3 conceptually illustrates Multi-Purpose Paths, sidewalks and other pedestrian paths.

Section 12. Environmental Systems, Drainage and Streets and Streetscapes

Section 12.1 Low Impact Development (LID) techniques shall be permitted as an environmental system to help attain water quality standards in conjunction with development of the storm water conveyance plan for the Legacy District. Examples of permitted systems include the use of bioswales, bioretention, rain gardens and/or permeable pavers. The conceptual drainage ways for the Legacy District are approximated on the Exhibit 5 (Environmental Systems Plan).

Section 12.2 Subject to approval by County Surveyor's Office, filling shall be allowed within the floodplain areas (mapped Zone AE) of the Legacy District which are located west of River Road and which have been isolated by previously approved developments north of 146th Street.

Section 12.3 With respect to floodplain areas (mapped Zone AE) of the Legacy District other than those described in 12.2 above, and subject to approval by County Surveyor's Office, filling shall be allowed, provided that mitigated floodplain storage volume is provided at a ratio of three (3) to one (1).

Section 12.4 Subject to approval by County Surveyor's Office, stormwater detained, conveyed and/or stored within flood plain areas (mapped Zone AE) in the Legacy District, other than those described in Section 12.2 above, shall be exempted from discharge limits outlined in the City's Stormwater Technical Standards Manual, provided that the net amount of existing floodplain storage in this area is increased by an amount equal to or greater than the difference between the increase in post-development total runoff volume and the pre-development total runoff volume.

Section 12.5 The drainage design for the Legacy District shall accommodate detention volume for the fully developed site and for 50% of the fully developed thoroughfare plan right-of-way for perimeter road frontages.

Section 12.6 The street layout (including rights-of-way, pavement widths, and design) within the Legacy District shall be approximately as conceptually indicated on the Exhibit 6 (Streets), adapted as appropriate to the topography, unique natural features, and environmental constraints of the Legacy District; provided, however, that new curb and median cuts to 146th Street, allowing the described layout, will require approval from the County Highway Department, and may cause the described layout to change.

Section 12.7 Alleys shall be permitted based on the following standards:

- A. An Alley shall be a perpetual easement or private way and shall not be dedicated to the public.
- B. Curbing is not required except at corners of intersections with other street types. At such corner locations, curbing shall be required for the corner radius ending at the intersection point of the radius and the path or

sidewalk paralleling the intersecting street. A concrete apron may serve as point of termination for the curb.

- C. Permeable Pavers may be used for pavement section of Alleys.
- D. Utilities may be located within Alleys.

Section 12.8 All streets (excluding Alleys) within the Legacy District which are to be dedicated for public use and accepted for maintenance by the City shall be constructed to the standards of the City as applicable at the time of the enactment of this Legacy Ordinance, for depth, materials, dimensions, and radii, unless specified otherwise in Exhibit 6 or other parts of this Legacy Ordinance.

Section 12.9 With the approval of the Commission, streets within the Legacy District may be private; provided, however, that the frontage road along 146th Street may, at the Controlling Developer's election and discretion, be either a public street or a private street.

Section 12.10 Exhibit 6 also contains illustrations of streets to be constructed within the Legacy District.

Section 12.11 A conceptual rendering of the 146th Street frontage road view corridor, adjacent to the Primary Office Use Block and Village Core Use Block, is included as Exhibit 18. The street section of the frontage road along 146th Street is included in Exhibit 6.

Section 13. Landscaping Requirements. The landscaping in the Legacy District shall be designed to compliment the architecture of the Dwellings and Commercial Buildings. Street trees, streetscape plantings, and buffer areas shall be used to bring natural elements to the design pattern, in consultation with the City's Urban Forester.

Section 13.1. General Landscaping Standards. Landscaping shall be integrated with other functional and ornamental site design elements, where appropriate, such as hardscape materials, paths, sidewalks, fencing, or any water features.

- A. Plantings along Buildings and streets should be designed with repetition, structured patterns, and complementary textures and colors, and should reinforce the overall character of the area. Alternate or pervious paving material may be considered, or alternative planting media shall be considered, for the urban areas where planting space is limited by restrictions such as Buildings, asphalt or concrete paving, parking lots, etc.
- B. All trees, shrubs and ground covers shall be planted according to American Standard for Nursery Stock (ANSI Z60.1), and following the standards and best management practices (BMPs) published by the Department's Urban Forestry Section. Landscaping materials shall be appropriate to local

growing and climatic conditions. Plant suitability, maintenance and compatibility with site construction features are critical factors that should be considered.

- C. Shade trees shall be at least 2.5 inches in caliper diameter when planted. Ornamental trees shall be at least 1.5 inches caliper diameter when planted. Evergreen trees shall be 6 feet in height when planted. Shrubs shall be at least 18 inches in height when planted. Ornamental grasses shall obtain a mature height of at least 3 feet.
- D. The Controlling Developer shall conserve existing established trees identified on Exhibit 5 (Environmental Systems Plan); provided, however, that said trees may be removed under any of the following circumstances:
 - 1. As is necessary to clear underbrush and dead trees;
 - 2. As is necessary for the installation of access easements, right-of-way, streets, paths, sidewalks, utilities and drainage improvements, infrastructure; and
 - 3. As is necessary for public health and safety as determined in cooperation with the Urban Forester.
- E. Existing vegetation may be used to achieve project landscaping requirements if (a) the vegetation located on subject parcel is of suitable quality and health, and (b) the vegetation is proposed to be preserved using accepted best management practices for tree protection during construction.

Section 13.2. Perimeter Landscaping. Perimeter landscaping along the property lines shall be provided in the form of (a) fifteen (15) foot greenbelt buffer in which street trees are planted, for portions of the perimeter of the Real Estate abutting 146th Street, (b) street trees for portions of the perimeter abutting other existing public right-of-way or where a public right-of-way is created via a proposed frontage road other than adjacent to 146th Street, and (c) landscaping per the requirements of Type “B” Bufferyard (3 shade trees, 3 ornamental trees, and 15 shrubs per 100 linear feet) for portions of the perimeter not abutting a public right-of-way. For portions of the perimeter that abut 146th Street, the required street trees may be grouped to allow view sheds into the Primary Office Use Block, Village Core Use Block, and Corner Use Block, and these requirements may be computed as an average across the total linear footage of frontage. Any street trees used to meet perimeter landscape requirements shall meet all other standards provided in Section 13.3 below. No bufferyards or landscaping internal to the Legacy District shall be required between or within the seven (7) different Blocks of the Legacy District.

Section 13.3 Street Trees. Medium or large growing shade trees shall be planted within the street right-of-way, parallel to each street, in planting strips or tree wells. Street trees shall be planted a minimum of thirty (30) feet and a maximum of fifty (50)

feet on center. In areas of high pedestrian and commercial activity, tree wells shall be covered with decorative grates or pavers in order to maximize uninterrupted pedestrian pathways. Where ample passage area is provided, tree planting areas shall be treated as planting beds to soften the hardscape. Street trees shall not be required along and adjacent to Alleys.

- A. Per City standards, no street trees shall be planted in conflict with drainage or utility easements or structures, underground detention (unless so designed for that purpose), or within traffic vision safety clearances. However, where the logical location of proposed utilities would compromise the desired effect, the Controlling Developer may solicit the aid of the City's Urban Forester in mediating cost-effective solutions.
- B. Street tree species shall be selected from the City's published list of recommended street trees. Street trees shall be pruned to a height of eight (8) feet minimum over sidewalks and twelve (12) feet minimum over streets, to allow free passage along the sidewalk. In commercial and mixed-use areas, street tree types and locations should allow for visibility of businesses and business signage.

Section 13.4. Building Landscaping Standards Building base landscaping shall be provided at the base of all Building elevations which do not directly abut planted hardscapes, to soften the architectural lines of Buildings, frame the primary views to Buildings and public spaces, and blend architectural designs with the landscape. Building landscaping shall be designed to appropriately complement a Building's use, setback, height, and architectural features. Window boxes for flowers and planters on front stoops and sidewalks are encouraged in areas where landscaping cannot be installed at the base of a Building due to the Building's proximity to a sidewalk, path, street, right-of-way or easement. Building base landscaping may help fulfill bufferyard requirements where applicable.

- A. Within the Suburban Residential Use Block, building base landscaping for each Detached Dwelling shall include a minimum of seven (7) shrubs and/or ornamental grasses. Additionally, 2 shade trees and one ornamental tree shall be planted for every Detached Dwelling. For Attached Dwellings, the standards set forth below in 13.4 (C) shall apply.
- B. Within the Neighborhood Residential Use Block, building base landscaping adjacent to the front elevation of each Detached Dwelling shall include a minimum of five (5) shrubs and/or ornamental grasses. Additionally, one shade tree and one ornamental tree shall be planted for every unit. For Attached Dwellings, the standards set forth below in 13.4 (C) shall apply.
- C. Within the Urban Residential Use Block, building base landscaping adjacent to the front elevation of each Building shall include a minimum of five (5) shrubs and/or ornamental grasses, and one (1) shade tree and one (1)

ornamental tree shall be planted for every two (2) Townhomes. For all other Attached Dwellings and Apartments, 3 shade trees, 3 ornamental trees, and twenty-five (25) shrubs shall be planted per 100 linear feet of Building frontage on right-of-way. Detached Dwellings shall have the same standards as those for the Neighborhood Residential Use Block set forth in 13.4(B) above. If the trees in this Block can not be planted between the Building and the sidewalk, then an alternative location may be chosen for planting. Landscaping interior courtyards are encouraged within larger blocks.

- D. Within the Village Core and Primary Office use Block, building base landscaping for each Building shall contain a minimum of two (2) shade trees, one (1) ornamental tree, and nine (9) shrubs per one hundred (100) linear feet of Building frontage on right-of-way. Shrubs, ornamental grasses, or other alternate landscaping techniques may be used to fulfill the Building base landscaping requirements, if approved by the Department. If Building base landscaping cannot be installed due to a Building's proximity to a sidewalk, path, street, right-of-way, or easement then landscaping may be installed elsewhere on the site to fulfill the Building base landscaping requirements. Appropriate alternate locations include, but are not limited to interior courtyards, sidewalks (as additional street trees), parks, plazas, parking lots, alleys, etc. In addition, where facades abut the public right-of-way and/or sidewalks span the entire frontage, planting islands may be created within the right-of-way, and street trees can help fulfill this requirement.
- E. Within the Corner Use Block, building base landscaping for each Building shall contain three (3) shade trees, three (3) ornamental trees, and fifteen (15) shrubs per one hundred (100) linear feet of Building frontage on right-of-way.
- F. Deciduous trees should be planted in locations to the south and west of Building to allow for shade in summer months and greater sun exposure in the winter months. Evergreen trees should be used as windbreaks to buffer northwest winds. In all cases evergreen trees may substitute in lieu of shrubbery, on a 1:3 basis (one conifer equals three shrubs).

Section 13.5. Parking Lot Plantings. Where parking lots are visible from the public right-of-way, the following requirements will apply:

- A. Lot interior. Minimum of one (1) shade tree per nine (9) parking spaces, with a minimum of four hundred (400) square feet of useable soil volume being provided for each two (2) trees;
- B. Lot Perimeter. A minimum five foot (5') wide perimeter planting strip shall be provided on all sides of a parking lot (except where parking spaces abut curb-to-building sidewalk) including four (4) shade trees and twenty-five (25)

shrubs and/or ornamental grasses per one hundred (100) lineal feet of strip. Walls or fences with a minimum height of forty-two inches (42”) may be used in lieu of planting. Perimeter planting may occupy the same space as a required bufferyard but may not be counted towards Perimeter Bufferyard Requirements.

Section 13.6. Maintenance It shall be the responsibility of the owners and their agents to insure proper maintenance of project landscaping in accordance with the Legacy Ordinance and best management practice standards. This is to include, but is not limited to, mowing, tree trimming, planting, maintenance contracting, irrigation and mulching of planting areas, replacing dead, diseased, or overgrown plantings with identical varieties or a suitable substitute, and keeping the area free of refuse, debris, rank vegetation and weeds.

Section 14. Lighting.

Section 14.1. Commercial Lighting. All site lighting within the Primary Office Use Block, Village Core Use Block, and the Corner Use Block shall comply with the standards of the Carmel Drive - Range Line Road Overlay Zone (Article 23F.12 of the Zoning Ordinance). All fixtures shall be downcast fixtures/90 degree cutoff.

Section 14.2. Street lights shall be as depicted on Exhibit 15, and consistent throughout the Real Estate.

Section 14.3. Street lights along all collector streets and within the Primary Office Use Block, Village Core Use Block, and Corner Use Block, shall be provided at regular intervals. Street lighting on residential streets shall be confined to the intersections and corners.

Section 14.4. Lighting for permitted activities shall be permitted within the Open Space Area.

Section 14.5. Lighting in the Village Core Use Block, the Primary Office Use Block, the Corner Use Block, and parking lots shall be designed and maintained so that it is reduced to the minimum amount reasonably required for security purposes during the hours that retail establishments are not open for business.

Section 15. Signs.

Section 15.1. Residential Signs. Unless variances are granted by the BZA, signage for all residential areas shall meet the requirements of Article 25.7 of the Zoning Ordinance. Typical residential signs depicted on Exhibit 16, (Typical Residential Area Signage). Illumination of any such signage shall be from a source external to such signage.

Section 15.2. Commercial Signs. Unless variances are granted by the BZA, all signage

on Commercial Buildings shall meet the requirements of Section 25.7 of the Zoning Ordinance. In addition, unless variances are granted by the BZA, signage for all Commercial Buildings within the Urban Residential Use Block and the Village Core Use Block shall also comply with the signage provisions of Chapter 23F of the Zoning Ordinance entitled “Carmel Drive – Rangeline Road Overlay”; provided, however, that (i) monument, center identification signs later approved by the Plan Commission in connection with DP/ADLS approvals, shall be permitted on the corners of Main Street and 146th Street, and (ii) ground signs for Buildings on outlots permitted under Section 8.6 above are also allowed.

Section 15.3. Murals. Murals, painted on a wall of a Building, which are artistic in nature and do not contain trademarks, moving parts or lights, shall not constitute a wall sign and are permitted.

Section 16. Parking.

Section 16.1. Parking. The minimum number of parking spaces to be provided shall be computed as follows:

- A. One and one-half (1.5) spaces per Dwelling. The areas within driveways and garages shall count toward this requirement;
- B. Four (4) spaces per one thousand (1,000) square feet of retail floor space; and;
- C. Except as provided in Section 16.1(D) below, the rules set forth in Section 27.01 through 27.04 of the Zoning Ordinance shall apply in computing the number of required parking spaces, and in determining the location and construction thereof;
- D. Off-street parking areas for two (2) or more different uses may be provided collectively as one parking area so long as the total number of spaces provided is not less than the total of the minimum required spaces for each individual use. Combined parking shall be designed and constructed so as to create a desirable, efficient, and well planned off-street parking area with functional and aesthetic value, attractiveness and compatibility with adjacent land uses. Where it is established to the Department’s satisfaction that adjacent buildings have uses that require parking at complementary times of the day or days of the week, the total number of shared parking spaces provided shall be less than the total of the minimum number of spaces required for each individual use. In addition, on-street parking spaces may, if available and adjacent to the lot of the use, be counted as part of the total parking spaces required by this Section 16.1(D); and

- E. Bicycle parking shall be provided in compliance with Section 27.06 of the Zoning Ordinance.

Section 16.2. On-Street Parking. Each parking space shall be a minimum of eighteen (18) feet in length.

Section 16.3. Loading and Service Areas.

- A. Loading docks, solid waste facilities, recycling facilities, and other service areas shall be placed to the rear or side of Buildings.
- B. Screening and landscaping shall prevent direct views of the loading areas and their driveways from adjacent properties or from the public right-of-way. Screening and buffering shall be achieved through walls, fences, and landscaping, shall be a minimum of five feet tall, and shall be visually impervious. Recesses in the Building, or depressed access ramps may be used.

Section 17. Maximum Unit Limitations.

Section 17.1 Primary Residential Density. The total number of Detached Dwellings, Attached Dwellings, Apartments, and CCRC Cottages shall not exceed one thousand three hundred forty-four (1,344), may occur in any combination subject only to the limitations in Section 17.1(A) and Section 17.1(B) below, and are referred to in the chart in Section 17.3 below as “Base Units”. With respect to Attached Dwellings and Apartments, the following additional limitations shall apply:

- A. Maximum Attached Dwellings. Without the approval of the Plan Commission, there shall be no more than five hundred (500) Attached Dwellings; and
- B. Maximum Apartments. Without the approval of the Plan Commission, there shall be no more than three hundred (300) Apartments.

Section 17.2. Ancillary Use Limitations. Lofts, Accessory Dwellings, Beds and Breakfasts, and CCRC Dwellings located within CCRC Multi-Unit Building, are (i) permitted within the Legacy District, but are not specifically planned for any particular area of the Legacy District and are less intense and more ancillary in character, (ii) in addition to and not counted toward the one thousand three hundred forty-four (1,344) permitted Detached Dwellings, Attached Dwellings, Apartments, and CCRC Cottages, and (iii) are referred to in the chart in Section 17.3 below as “Ancillary Units.” Without the approval of the Commission, the number of (i) Lofts shall not exceed two hundred (200), (ii) Accessory Dwellings shall not exceed thirty (30), (iii) beds and breakfasts shall not exceed five (5), (iv) bed and breakfast rooms shall not exceed thirty (30), and (v)

CCRC Dwellings located within a CCC Multi-Unit Building may not exceed two hundred twenty-five (225).

Section 17.3. Chart Summarizing Unit Limitations. The following chart summarizes the text of Section 17.1 and Section 17.2 above:

	With 100% of Base Units and no Ancillary Units	With 100% of Base Units and 100% of Ancillary Units
Base Units (See Section 17.1)	1,344	1,344
<u>Ancillary Units</u> (See Section 17.2):		
- Lofts (0 - 200)	0	200
- Accessory Dwellings (0 - 30)	0	30
- Beds and Breakfasts/Rooms	0	5/30
- CCRC Dwellings within CCRC Multi-Use Building (0 - 225)	0	225
TOTAL POSSIBLE DWELLINGS	1,344	1,829
TOTAL ACREAGE	498	498
DENSITIES	2.70	3.67

Section 18. Homeowners Association and Declaration of Covenants.

Section 18.1. Declaration(s) of Covenants and Owners Association(s). Declarations of Covenant(s) shall be prepared by the Controlling Developer and recorded with the Recorder of Hamilton County, Indiana. There may be multiple Declaration(s) of Covenants applicable to different portions of the Real Estate, and multiple corresponding Owners' Association(s). The Declaration(s) of Covenants shall establish an Architectural Review Board, which shall establish guidelines regarding the design and appearance of dwellings and, with respect to residential colors, shall provide that (i) selected colors must be harmonious with colors used on the Dwelling, such as roofing and brick, and must be harmonious with other colors used in the surrounding neighborhood, (ii) multiple colors are available on the color palette approved by the Architectural Review Board, which, from time to time, may be reviewed and updated.

Section 19. Approval Process.

Section 19.1. Approval or Denial of Plats and Final Development Plan.

- A. With respect to any portion of the Legacy District other than the areas on which lots are developed for Detached Dwellings, the platting into smaller sections shall be permitted, but shall not be required in order to divide the Real Estate into smaller areas for purposes of conveying title.
- B. Primary and secondary platting shall be required with respect to any portion of the Legacy District on which lots are developed for Detached

Dwellings. All secondary plats for any portion of the Legacy District shall be approved administratively by the Department, and shall not require a public hearing before the Plan Commission, so long as the proposed secondary plat substantially conforms with the corresponding approved primary plat.

- C. No DP/ADLS approval by the Commission shall be required with respect to Detached Dwellings and their associated Accessory Dwellings, Accessory Structures, landscaping, lighting, and signage, but all other Buildings and associated parking, landscaping, lighting and signage shall require DP/ADLS approval by the Commission.
- D. If there is a Substantial Alteration in the approved DP/ADLS or primary plat, review and approval of the amended plans shall be made by the Commission, or a Committee thereof, pursuant to the Commission's rules of procedure. Minor Alterations and Material Alterations may be approved by the Director.
- E. The Director shall have the sole and exclusive authority to approve without conditions, approve with conditions, or disapprove the Final Development Plans/Secondary Plats (collectively, the "FDP") for Legacy District; provided, however, that the Director shall not unreasonably withhold or delay the Director's approval of the FDP that is in substantial conformance with corresponding approved development plan/primary plat and is in conformance with the Development Requirements of this Legacy Ordinance. If the Director disapproves any FDP, the Director shall set forth in writing the basis for the disapproval and schedule the request for approval of the FDP for a hearing before the full Plan Commission.

Section 19.2. Modification of Development Requirements.

- A. The Commission may, upon petition of the Controlling Developer, modify any requirements specified in this Legacy Ordinance.
- B. Modification of the Development Requirements, requested by the Construction Developer, may be approved by a hearing examiner or committee designated by the Commission, after a public hearing held in accordance with the Commission's Rules of Procedure. However, any decision of a hearing examiner or committee which denies any requested modification may be appealed by the party requesting approval to the Commission, also in accordance with the Commission's Rules of Procedure.
- C. Any proposed modification of the Development Requirements shall comply with the following guidelines:

1. The modification shall be in harmony with the purpose and intent of this Legacy Ordinance.
 2. The modification shall not have an adverse impact on the physical, visual, or spatial characteristics of the Legacy District.
 3. The modification shall not have an adverse impact on the streetscape and neighborhood.
 4. The modification shall not result in configurations of lots or street systems which shall be unreasonable or detract materially from the appearance of the Legacy District.
 5. The minimum lot size of any lot to be created shall not be reduced below the requirements of this Legacy Ordinance.
- D. When applying the Development Requirements, the Commission shall carefully weigh the specific circumstances surrounding the modification petition and strive for development solutions that promote the spirit, intent and purposes of this Legacy Ordinance.
- E. If the Commission (acting through its hearing examiner or committee) determines that the proposed modification will not have an adverse impact on development in the Legacy District, it shall grant a modification of the Development Requirements. In granting modifications, the Commission may impose such conditions as will, in its reasonable judgment, secure the objectives and purposes of this Legacy Ordinance.

Section 20. Controlling Developer's Consent. Without the written consent of the Controlling Developer, no other developer, user, owner, or tenant may obtain any permits or approvals, whatsoever, with respect to the Real Estate or any portion thereof and, as such, and by way of example but not by limitation, none of the following may be obtained without the approval and consent of the Controlling Developer:

- A. Improvement location permits for any improvements within the Real Estate;
- B. Sign permits for any signs within the Real Estate;
- C. Building permits for any buildings within the Real Estate;
- D. DP/ADLS, or primary or secondary plat approval for any part of the Real Estate; and
- E. Any text amendments or other variations to the terms and conditions of this Legacy Ordinance.

Section 21. **River Developable Parcel.** Notwithstanding anything in this Legacy Ordinance to the contrary, the River Developable Parcel shall remain zoned S-1 (Residential) under the Zoning Ordinance, and the use and development of the River Developable Parcel shall be governed by the S-1 (Residential) classification of the Zoning Ordinance, and not by this Legacy Ordinance.

Section 22. **Violations.** All violations of this Legacy Ordinance shall be subject to Section 34.0 of the Zoning Ordinance.

PASSED by the Common Council of the City of Carmel, Indiana this _____ day of _____, 2007, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL FOR THE CITY OF CARMEL

Presiding Officer

Kevin Kirby

Joseph C. Griffiths, President Pro Tempore

Brian D. Mayo

Ronald E. Carter

Mark Rattermann

Fredrick J. Glaser

Richard L. Sharp

ATTEST:

Diana L. Cordray, IAMC, Clerk Treasurer

Presented by me to the Mayor of the City of Carmel, Indiana the ____ day of _____, 2007, at _____ o'clock ____M.

Diana L. Cordray, IAMC, Clerk Treasurer

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____, 2007, at _____ o'clock ____M.

James Brainard, Mayor

ATTEST:

Diana L. Cordray, IAMC, Clerk Treasurer

Version A – January 16, 2007

This Instrument prepared by: Charles D. Frankenberger, NELSON & FRANKENBERGER,
3105 East 98th Street, Suite 170, Indianapolis, IN 46280 .

ORDINANCE D-1841-07

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL,
INDIANA, ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF
ORDINANCES OF THE CITY OF CARMEL, INDIANA**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the Third Quarter 2006 Supplement to the Code of Ordinances of the City of Carmel, which supplement contains all ordinances of a general nature enacted since the prior supplement to the code of ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the Indiana Code; and

WHEREAS, the Third Quarter 2006 Supplement has been reviewed by the Office of the Clerk-Treasurer and American Legal Publishing, and found to be accurate; and

WHEREAS, it is the intent of the Council to accept these updated sections in accordance with the changes of the law of the State of Indiana.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Carmel, Indiana:

Section I: That the Third Quarter 2006 Supplement to the Code of Ordinances of the City of Carmel as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and is hereby adopted by reference as if set out in its entirety.

Section II: All prior Ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

Section III: This Ordinance shall be in full force and effect from and after its passage.

PASSED by the Common Council of the City of Carmel, Indiana, this _____ day of _____, 2007, by a vote of ____ ayes and ____ nays.

1 **COMMON COUNCIL FOR THE CITY OF CARMEL, INDIANA**
2
3

4 _____
5 Presiding Officer

_____ Kevin Kirby

7 _____
8 Joseph C. Griffiths, President Pro Tempore

_____ Brian D. Mayo

10 _____
11 Ronald E. Carter

_____ Mark Rattermann

13 _____
14 Fredrick J. Glaser

_____ Richard L. Sharp

16
17 ATTEST:
18
19

20 _____
21 Diana L. Cordray, IAMC, Clerk-Treasurer
22
23

24 Presented by me to the Mayor of the City of Carmel, Indiana, on this ____ day of
25 _____, 2007, at _____ o'clock ____M.
26
27

28 _____
29 Diana L. Cordray, IAMC, Clerk-Treasurer
30

31 Approved by me, Mayor of the City of Carmel, Indiana, this ____ day of _____
32 _____, 2007, at _____ o'clock ____M.
33
34

35 _____
36 James Brainard, Mayor
37

38 ATTEST:
39
40

41 _____
42 Diana L. Cordray, IAMC, Clerk-Treasurer

43 Prepared by: Diana L. Cordray, Clerk-Treasurer
44 CITY OF CARMEL
45 317-571-2414

ORDINANCE D-1842-07

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,
AMENDING CHAPTER 8, ARTICLE 5, SECTION 8-47(a), OF THE CARMEL CITY CODE BY
ADDING AN ADDITIONAL SUB-PARAGRAPH THERETO**

WHEREAS, the Common Council is authorized to enact ordinances regulating parking on streets located within the City's corporate limits; and

WHEREAS, it is appropriate and in the best interests of public safety and welfare to now add an additional no-parking location to existing City Code Section 8-47(a).

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Carmel, Indiana, as follows:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. The following sub-paragraph shall be added to Chapter 8, Article 5, Section 8-47(a) of the Carmel City Code and placed as a separate numbered paragraph after the last numbered sub-paragraph currently contained in said Section 8-47(a), which shall read as follows:

"() On the south side of Marana Drive from its intersection with Lockerbie Place to its intersection with Rohrer Road."

Section 3. The Carmel Street Department shall post appropriate signs and markings on the above-described public street.

Section 4. The remaining provisions of Carmel City Code Chapter 8, Article 5, are not affected by this Ordinance and remain in full force and effect.

Section 5. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed, to the extent of such inconsistency only, as of the effective date of this Ordinance. However, the repeal or amendment by this Ordinance of any other ordinance does not affect any rights or liabilities accrued, penalties incurred or proceedings begun prior to the effective date of this Ordinance. Those rights, liabilities and proceedings are continued and penalties shall be imposed and enforced under such repealed or amended ordinance as if this Ordinance had not been adopted.

Page One of Two Pages

The initial draft of this document was prepared by Douglas C. Haney, Carmel City Attorney on January 3, 2007. Any changes thereafter made to this document are the sole responsibility of the document sponsor.

Section 6. If any portion of this Ordinance is for any reason declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

Section 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor pursuant to Indiana law.

PASSED by the Common Council of the City of Carmel, Indiana, this ____ day of _____ 2007, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL FOR THE CITY OF CARMEL, INDIANA

Presiding Officer

Kevin Kirby

Joseph C. Griffiths, President Pro Tempore

Brian D. Mayo

Ronald E. Carter

Mark Rattermann

Fredrick J. Glaser

Richard L. Sharp

ATTEST:

Diana L. Cordray, IAMC, Clerk-Treasurer

Presented by me to the Mayor of the City of Carmel, Indiana, this ____ day of _____, 2007, at _____ O'clock, _____. M.

Diana L. Cordray, IAMC, Clerk-Treasurer

Approved by me, Mayor of the City of Carmel, Indiana, this ____ day of _____ 2007, at _____ O'clock, _____. M.

James Brainard, Mayor

ATTEST:

Diana L. Cordray, IAMC, Clerk-Treasurer

Ordinance No. D-1842-07

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The initial draft of this document was prepared by Douglas C. Haney, Carmel City Attorney on January 3, 2007. Any changes thereafter made to this document are the sole responsibility of the document sponsor.